

THE
WORKS
OF
JEREMY BENTHAM,

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JOHN BOWRING.

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MEMOIRS

AND

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CHAPTER I.

INFANCY AND BOYHOOD.—1748-59.

Birth.—Connexions and Ancestry: Jacobitism: Father and Mother.—Localities.—Reminiscences of Infancy: Browning Hill.—Musical Taste.—Physical Weakness.—Instruction in French.—Passion for Reading: Fiction: History: Telemachus.—Early Companions.—Observation of Nature.—Susceptibility of Temperament.—Sir Thomas Sewell and Bentham, senior.—Recollections of Early Incidents.—Humanity to Animals.—Visits to Barking.—Anecdotes.—Liability to Horrible Impressions.—Influence of Early Reading.—Family Reminiscences.—Early Tastes: Flowers.—Death of his Mother.

JEREMY BENTHAM was born in Red Lion Street, Houndsditch, on the 4th-15th February, 1747-8.*

His great-grandfather, Brian Bentham, was a prosperous pawnbroker in the city of London, and a relation of that Sir Jeremy Snow who was one of the bankers cheated by Charles II. when he closed the Exchequer. In those days the profession of a pawnbroker was far more elevated than now. Brian Bentham had connexion with the founder of the Aldgate Charity, Sir John Cass, and with many other distinguished people.† He died possessed of some thousands of pounds. His son, Jeremy Bentham's grandfather, was a Jacobite lawyer; "neither better nor worse," as his distinguished descendant used to say of him, "than the average rate of attorneys."

* See the extract from his father's journal, *infra*, p. 5. I found in his own handwriting, on one of his school-books, "E Libris Jeremiæ Bentham, Junioris: 6^o Die Januarii, Anno Domini 1753, ætate Ætatis suæ Quinto, hoc scriptum fuit."

† Bentham's father directed, by his will, that a gilt silver cup should be given to Sir John Cass's Charity, and the history of his achievements recorded on the cup.

His name was Jeremiah, and he had a partner, one Mr Avis, whose brother shocked the prejudices of the times by marrying a rich Jewess. The Avises were people of no small importance in the city. In their family was a literary lady, an unmarried maiden—Miss Barbara Avis—who was even a Latin scholar. One of the most awful events of Jeremy Bentham's life, was his introduction to the erudite Miss Barbara. He was then not seven years old, and his father compelled him to learn by rote one of Horace's satires, that he might repeat it when the lady arrived to pay the family a visit. Such visits were talked of long before they came, and long after they were over: they were events in the family history. This learned lady seems to have been less terrible than the trembling timid boy anticipated; and he got through his "*Qui fit Mæcenas*" with due honour.

Bentham's father, whose name was also Jeremiah, was born on the 2d of December, 1712, in the parish of St Botolph's, Aldgate.

His grandfather, who, though no Papist, was a great devotee of the Stuarts, had the habit of hoarding and hiding large quantities of money in various parts of the house. Considerable sums, concealed from the knowledge of his family, were found, at his death and at subsequent periods, in foreign and domestic gold coin; and when Jeremy was a boy of about ten years old, twenty or thirty guineas fell out of a place which he had been using as a receptacle for his toys. Strong aversion to the reigning family—doubts of the stability of the funds—apprehensions of danger—and the desire of having some immediate tangible resources—induced many Jacobites to do what Jeremiah Bentham did. It was said that Pope or his father came into possession of a hidden treasure of £20,000 in gold, which was kept in a closet, and drawn upon according to need—the interest being sacrificed. But, withal, the old lawyer managed to invest in land a large amount of money, the result of his savings, and added to the fortune his father had bequeathed.

Of late years, some light has been thrown upon the extent of Jacobitism which pervaded the higher classes, where it was deeply rooted and widely spread; and among the people of the metropolis, at least, it was far more prevalent a century ago than is generally supposed. Bentham has assured me, not only that multitudes of the citizens of London were friendly to the Stuarts, but that even in the corporation there were aldermen waiting to bring about the restoration of the exiled family, whenever a fit occasion could be found. In the year 1745, the addresses of the Pretender had a wide circulation; and many papers, showing the zeal and interest which his forefathers felt in the success of the Stuarts, fell into Bentham's hands. Bentham's grandfather had struggled hard for the clerkship of the Cordwainers' Company. He attributed his failure to his political sincerity—to his devotion to the legitimate race.

"My grandfather on my father's side," writes Bentham, "being a Jacobite, my father, *comme de raison*, was bred up in the same principles. My father subse-

quently, without much cost in conveying, transferred his adherence from the Stuarts to the Guelphs. A circumstance that gave no small facility to it was a matrimonial alliance that had been contracted by a relation of my mother's with a *valet de chambre* of George the Second's. Ribbons—in material silk, in colour purest white, in dimensions narrow—closed in those days the occasional solution of continuity in the shirt collar of his Most Sacred Majesty. Its term accomplished—nor in such a situation was much time expended in the accomplishment—one of these royal trappings passed from the hand of my fair cousin to the neck of the author of these pages. Ribbon, of itself sufficed—ribbon, without garter or even star—to turn the little head. Kings upon kings, ever since my fourth year was accomplished, I had been reading of, in an odd volume of Rapin's History. Crowns upon crowns I had beheld upon their heads. Imagine, who can, how I strutted, thus adorned and glorified!"

Some of the Bentham family made their way under the auspices of the dominant authorities. The chief clerk of the Navy Board was the first cousin of Bentham's father. He lived a life of jollity on Tower Hill—was a member of the Beef-Steak Club—a warm-hearted man, who was disposed to show all sorts of kindness to his young kinsman. Bentham thus spoke of him:—"I longed for a more intimate acquaintance with him; but a coldness existed between him and my father; and, I am bound to say, my father was not the injured party. Now and then I did obtain the privilege of visiting him. My visits were mostly confined to those nights of beatitude on which the annual fireworks were displayed on Tower Hill, and which I looked at, in a state of ecstasy, from his windows."

Bentham often talked pleasantly and playfully of what he called his *Patronymics*. "A son of a first cousin of my father was Captain Cook's purser when he went his first voyage to the Sandwich Islands. I wanted him to talk to me of his travels; but I never got one fact out of him except this, that on one occasion, at the Sandwich Islands, they were

greatly disturbed by the terrible noise with which the king made love to one of his lieges. Another second cousin was a banker at Sheerness; and another was a gentleman farmer.”*

Of his female ancestors—of the relations on his mother’s side, and of his mother especially, Bentham always spoke with the most affectionate tenderness. His grandmother, on his father’s side, was named Tabor,† believed to be the same family as the Doctor Tabor who was made a Knight of the Bath in the time of Charles II. in consequence of his successful treatment of various royal and noble persons, by the use of the medicine then called Jesuits’ (but now Peruvian) bark. One member of his grandmother’s family, Mr Ray, a relation of the botanist, had educated Bentham’s father, and was an object to him of so much respect and affection, that he sought him, on the death of his first wife, (whom he fondly loved,) hoping to find from him solace in his affliction. This Mr Ray had several brothers: one, a traveller, though he died when Bentham was only six years old, was to him an object of extreme interest and admiration. “Well do I remember,” said Bentham, in his old age, “his good-natured, playful humour—his kindness during his visits to my grandmother—his letters which were sent by his father to

mine. Deep was the affliction which I felt at his death; and, when the news came, there was nobody to keep up my spirits but my grandmother. When he was gone, his letters made him present. They interested me so much, that I should know his signature now, after three-fourths of a century, though it was a sad scrawl. I recollect his writing about the Polygars; so the scene of his adventures must have been Southern India, somewhat near Travancore. He used to sing me songs whose music even now vibrates in my ears. Among them was ‘My Highland Laddie.’

‘May heaven still guard, and love reward,
My Highland Laddie!’”

The maiden name of Bentham’s mother was Alicia Grove. Her father was the younger son of a younger son; and, though belonging to a family of some consequence, his condition was not higher than that of a shopkeeper at Andover. His early life was one of marked vicissitudes. His later years were progressively prosperous. On his death the business was disposed of, and the family withdrew to Browning Hill, near Reading; a spot, the recollection of which was to Bentham, throughout the whole of his existence, like a thought of paradise. One great-uncle had been a publisher—(a brother of Bentham’s grandmother)—his name was Woodward. He brought out Tindal’s “Christianity as Old as the Creation.” He

* It is a curious fact, that the arms of Bentham are the same as those of the Counts of Bentheim (in Westphalia.) “I visited Bentheim,” said Bentham, “on my way home from Hanover. The count was out at elbows, and the county was mortgaged. I had a project upon it in the days of Panopticon prosperity; but George the Third got the better of me, and obtained the count’s mortgage.”

Bentham used to discuss with Mr William Bentham, who had pursued antiquarian studies, the subject of their common ancestry, and they used to trace the origin of their family. “We found out the forefathers of my great-grandfather, the pawnbroker, three or four hundred years ago, and ascertained there had been a Bishop Bentham in the family.”

There are some Benthams settled in the United States, but whether or not kinspeople of his race I am unable to state. He had letters from some of them, stating that their ancestor was a chaplain to Charles the Second, and that they descended immediately from James Bentham of Dorsetshire, whose son, James Fitch Bentham, left Poole for the United States in 1760. I do not know whether Bentham ever ascertained, or endeavoured to ascertain, if they were of the same pedigree.

† She was the daughter of Randolph Croxall vicar of Salisbury. From a blank leaf in a copy of Dugdale’s Monasticon I extract what follows:—

“The author of this book was my neighbour and very good friend, by whose means I was settled at Tolleshunt Knight, in Essex, and afterwards I left that living and removed to Tollesbury. Mr Dugdale was knighted by King Charles II., and made Quarter-King-at-Arms, decidedly for his great industry and abilities. I, Randolph Croxall, was born at Shustock, in Warwickshire, where the chiefest in the town, except Mr Dugdale’s posterity, are of my name, and are my near relations.

... God gave me by my wife four children, that lived to be men and women.” The eldest he speaks of was Samuel, born 1655. (He was probably the father of Dr Samuel Croxall, who was Archdeacon of Salop, and wrote “The Fair Circassian,” “The Vision,” “Scripture Politics,” &c.) “My daughter, Dorothy,” the MS. goes on to record, “was born the 16th of February, 1658, and is married to Mr John Tabor, tutor of South Hanningfield, nigh to Chelmsford, in Essex, where she liveth virtuously and comfortably.”

used to talk to Bentham of books and booksellers—of “Honest Tom Payne,” whose shop was then contiguous to the Mewsgate, and was a sort of gathering-place for the lettered aristocracy of the times. Woodward retired from business—was crippled and rich. Such part of his stock as was unsold and unsaleable, formed a large portion of the library at Browning Hill, and served for young Bentham’s intellectual pabulum.

Three sisters—Bentham’s grandmother Grove, a widow Mulford, an unmarried great-aunt Deborah, and, occasionally, Bentham’s mother—habitually lived at Browning Hill. They were all kind to, as they were all fond of, the studious boy. “But my aunt Deborah was too prone to talk of the people of quality whom she knew; for she knew the Riddleys and Colbornes, and divers other great families. I cared nothing about such topics. I wished she would talk of Vortigern and the Anglo-Saxons; but I wished in vain.”

Bentham made, throughout his life, open war upon the maxim, *De mortuis nil nisi bonum*; and as he frequently spoke of his father in terms of disapprobation, he was in the habit of justifying the course he pursued, by something like the following reasoning:—“Why should a Latin or an English* proverb screen the character of our ancestors from investigation? The suppression of truth may be as baneful as the utterance of untruth. By one as well as by the other, and often equally by either, may wrong obtain a triumph, or right be visited by defeat. In the abstract and intrinsic nature of the dogma, there is mendacity: in its application inevitable mischief. Take the case of flattery bestowed upon dead tyrants. What does it serve but to encourage a continuance or a repetition of tyrannical acts? The other day a journalist, who wrote in terms of deserved reprobation on the character of a deceased monarch, was severely punished. Had he uttered any quantity of laudatory lying, reward would probably have been his lot;—a small portion of criminatory truth sub-

jected him to heavy inflictions. And thus is veracity polluted and persecuted!” “While my father lived, from my birth to his death, I never gave him any ground to complain of me. Often and often have I heard from him spontaneous and heartfelt assurances of the contrary. My conduct may indeed have sometimes been a cause of regret and dissatisfaction to him; but on what ground? My ‘weakness and imprudence’ in keeping wrapt up in a napkin the talents which it had pleased God to confer on me—in rendering useless, as he averred, my powers of raising myself to the pinnacle of prosperity. The seals were mine, would I but muster up confidence and resolution enough to seize them. He was continually telling me that everything was to be done by ‘pushing;’ but all his arguments failed to prevail on me to assume the requisite energy. ‘Pushing,’ would he repeat—‘pushing’ was the one thing needful; but ‘pushing’ was not congenial to my character. . . . How often, down to the last hours of our intercourse, when we were sitting on contiguous chairs, has my father taken up my hand and kissed it!”

Bentham’s father had, like his illustrious son, a phraseology of his own. If a person neglected to visit him, he would call the absence “self-sequestration.” If a client left him, he shook his head and said—“Ah! he has taken himself into his own hands.” He had two ways of accounting for all conduct which was opposed to his standard of propriety. If the party were of such rank as that, without presumption, he might sit in judgment, he called the deed he disapproved of “infatuation,” but when he was afraid to attribute anything like blame, he always said it was a “mystery.” And these two words—“infatuation” and “mystery”—were the talismans with which he explained whatever was otherwise unexplainable, and dealt out a sort of oracular decision to his hearers.

He adopted for the family motto—*Tam bene quam benignè*; and, when Bentham was very young, he was called on to translate the phrase, the application of which his father considered a most lucky hit, for it was meant to con-

* “’Tis an ill bird that harries its own nest.”

vey a recondite meaning—*Tam bene*, read backwards, was to designate *Bentham*. The lad neither valued the wit nor preserved the motto, though he once observed to me—"My father's reasons were as good as those which justify nine-tenths of the mottoes in use."

Bentham's father had, in truth, not the slightest comprehension of the delicacy and diffidence of his son's nature. He whose maturer and later life flowed in one stream of continued happiness—the most gay and joyous of men—had the recollection of his boyhood associated with many thoughts of a painful and gloomy character. But his observation was acute, and his memory wonderfully accurate, even of the minutest events. "I was filled with marvel," he said, "when I found the power I had over the ground in the church-yard near my father's house in Aldgate. I used to walk into the church-yard, particularly when there were burials, and I remember, that as I looked I found that the surface of the ground changed—it was sometimes uniform, sometimes in waves,—which I could vary at will by altering the position of my eye."

Red Lion Street, Houndsditch, in which Bentham was born, is a *cul-de-sac* close to the church, and his father's house was the last on the left-hand side. It is still existing, pretty much in the same outward condition as it exhibited a hundred years ago; though, in these modern days, a substantial city attorney would rarely dream of dwelling in such a street, or such a neighbourhood; both having become occupied by people less and less opulent, as the more wealthy and higher stationed gradually withdrew. He had the name of Jeremy given to him, because Jeremiah, as his father said, was a family name; and there was an advantage in curtail-^{ing} a syllable, and in showing a preference towards the names of the New Testament over those of the old. Accident brought his father and his mother together at a place of entertainment on or near Epping Forest, called Buckholt Acres. His father fell desperately in love, returned home, and vowed that, if any, the woman he had seen should

be his wife. It was a terrible shock to the ambitious purposes of his family, which had already decided that a certain young lady, with a jointure of £10,000, should be united to him. Bentham used to relate, with great glee, how his grandmother made him her confidant, and poured out into his young bosom the expression of her vexation that his father had made so great a mistake. But if ever an amiable woman existed, the mother of Bentham was one.

Bentham's father kept a journal of expenses, written in a strange jargon of bad French, Latin, and English. Under the date of 1744, September 30, is the following entry:—"Pro licentia nuptiale, 19s. 6d. Dat. clerico, 2s. 6d.—£1:2s.; and, in the year 1747-8, February 4, appears—"Fils né, apres nommé Jeremy; a quatre heures et demi, mon fils se naît."

On the 15th June, I find—"J. B. jun.—Paid Mr J. Mulford, for a coral, 14s."

Several letters are before me written by Mrs Bentham, which exhibit many of those gentle and beautiful traits of feminine character which I have often heard Bentham attribute to his mother. In one, dated Andover, August 6, 1749, addressed to her husband, she mentions that she had left the stage-coach during her journey, and, on coming back, she found her place, which was with the face towards the horses, occupied by a lady, and says—"I was chagrined by this unlucky accident, knowing I could not sit backwards without inconvenience; therefore, addressing myself to the lady, I hoped it would suit her to sit on the other side; but she assured me it would not. I was obliged to take the middle place: but this did not put me out of temper. She was afterwards extremely obliging, and offered me a bed at her brother's house." I do not know whether this incident was recollected by Bentham, but I remember to have heard him say that a stage-coach was a place where the virtues of prudence and benevolence have often occasion eminently to exhibit themselves, and where lessons of wisdom are sometimes admirably taught. In the same letter, she speaks of her anxiety about "her sweet boy," (Bentham,) and of "an uneasy dream" she had had re-

specting him. In another letter, of the following week, she writes of the "longing expectation" with which she had waited for her husband's letter, of "the joy of hearing from a beloved absent one;" and implores a frequent repetition of such "absent interviews." She says, "I try to divest myself of all uneasy cares, and think of nothing at home but the joys I left behind—my sweet little boy, and his still dearer papa; though there are little anxious fears about death and fever, and too great a hurry and perhaps vexations in business, which may perhaps overpower the spirits, and I not present to bear my part, and soothe those cares; which, I flatter myself, would be in my power, were it only from my desire of doing it. Shall you see the dear little creature again? I dreamed he had been like to have been choked with a plum-stone. Surely nurse will not trust him with damsons. God preserve him from all evil accidents!" It would appear from this letter that Mr Bentham had some aspirations after a knighthood; for she says—"I am vastly angry with the title of ladyship. I have taken so great a disgust to it that I hope you will *not* get yourself knighted in haste, for I don't believe I shall ever be reconciled to it. It has robbed me, I fear, of some sweet epithets, and exchanged what I value above all the world for an "humble servant." However, it shall not deprive me of a title I value above all others that could ever be conferred on me: even that of your faithful and affectionate wife,

"A. B."

At the time of Bentham's birth, his father's mother was an inmate of the family; living, however, principally at Barking, where they occupied a house, which was her jointure, and in which the whole family ordinarily passed, as a weekly holiday, a portion of Saturday and Monday, and the whole of Sunday. Bentham's father said to him, when he was very young, that, by the blessing of heaven on his exertions in making a combination between his wife and his mother, he was enabled to keep a country-house and a carriage. The paternal grandmother was proud and scornful;

the maternal one humble and gentle. The pride of grandmother Bentham was built on an independence of one hundred pounds a year; and the humility of grandmother Grové was outpoured into the bosom of young Jeremy; to whom, without any asperity, but with a good-humoured pleasantry, she sometimes expressed her wonderment that the rival for the boy's affections should "hold her haughty head so high." But from the country-house and the carriage, that rival could well look down on those who had neither; and, besides, in early life she had passed some time in the company of ladies of quality, with the daughters of the Earl of Fermanagh, in Ireland, whose dwelling was not far from that of her reverend father. That earl, or a preceding one, figures in the Memoirs of Count Grammont; and Bentham's grandmother had partaken of the accomplishments, such as they were, which formed part of the education of high-born dames; and had learned to play successfully (so she told her grandson) on the bass viol. Whatever she had learned, however, was all forgotten before Bentham could derive any benefit from it, as he found she could not even teach him the musical notes. Plain in her youth, she had grown graceful and dignified in age; and Bentham, who was early sensible of her weaknesses, found her far from unpleasing to him. When the leaves fell, she migrated from Barking to London; and when the leaves appeared again, she appeared in the country with them.

I have heard Bentham mention, more than once, his remembrance of a circumstance that occurred before he was able to walk alone, and which made, he has often told me, the strongest impression on his memory. He had been remarking how much suffering the acuteness of his sensibilities had on many occasions caused him, and that his earliest recollection was the pain of sympathy. "It was at my father's country-house at Barking," he said: "the place and persons present are even now vividly impressed on my memory. My grandfather was then the constant occupant of the house; and my father and mother, with

occasional company, came down every Saturday, and returned to town the following Monday. There had been some unusual feasting in the house, and I had been supplied by my nurse, no doubt, to satiety. Soon after, my grandfather came, and I ate something that he offered me. Thereupon came my mother, smiling—she came with her natural claims upon my affections—but it was out of my power to accept her intended kindness; and I burst into tears, seeing the chagrin and disappointment which it cost her. I was then not two years old.” And the fact of his age he established by a comparison of dates, persons, and places, sufficient to authenticate his statement.

Of the precocity of his powers, I have gathered up many remarkable examples. He knew his letters before he was able to speak. His father was accustomed to mention, and, as he said, “to brag,” of his early feats, and he reminded him a thousand times of his infantine literary powers. “He was always talking to me and to others of my powers,” said Bentham; but the stimulants applied did not act in the direction which parental pride was constantly pointing out.

Another instance of precocious mental activity I will give in Bentham’s words:—“What I am about to tell you, I have often heard from my grandfather: it occurred before I was breeched, and I was breeched at three years and a quarter old:—One day, after dinner, I was taken to walk with my father and mother, and some of their acquaintance. They were talking, as usual, about matters—I cannot say above my comprehension—but rather distant from, or on one side of my comprehension—matters of complete indifference to me—about Mr Thompson, Mr Jackson, Miss Smith, and old Mr Clark. Not being interested, I soon got wearied and annoyed, so that, unperceived, I escaped from the company, took to my heels, and scampered home. The house was tolerably far off, though in view; and I reached it a considerable time before the arrival of the pedestrians. When they came in they found me seated at table—a reading desk upon the table, and a

huge folio on that reading desk—a lighted candle on each side, (for it had become dark,) and myself absorbed in my studies. The book was Rapin’s History of England. I have it still. The tale was often told in my presence, of the boy in petticoats, who had come in and rung the bell, and given orders to the footman to mount the desk upon the table, and place the folio upon the desk, and to provide candles without delay. All this was repeated again and again, and I received the impressions from others. But what I did not receive from others, was, the knowledge of the satisfaction with which I read the folio historian. The day remembered by others was not the first in which I had been delighted. There is nothing sentimental in Rapin, but the facts simply narrated were most interesting to me; those facts I read over and over again; and they excited my sympathies strongly, particularly those which occurred in the Saxon period—Redwald and Edwy; and Rosamond’s story above all.” In the year 1751, Bentham being then in his fourth year, there is in his father’s book of accounts, an entry for “Ward’s Grammar, 1s. 6d.; Fani Colloquendi Formulæ, 6d.; and Nomenclator Classicus Trilinguis, 8d., being 2s. 8d. for Jeremy, junior,” showing at what an early age his classical studies began; and in the year 1753, a nicely written scrap of Latin is preserved among his father’s memoranda, with this notice:—“Mem. The line pasted hereon was written by my son, Jeremy Bentham, the 4th of December, 1753, at the age of five years nine months and nineteen days;” and a few days after is the following entry:—“Paid Mr Robert Hartley for double allepine for Jerry’s coat and breeches, to his pink waistcoat, £0 12 3.”

Long before Bentham was five years old, his father had resumed his own studies in Latin and Greek, in order to officiate as instructor to his boy. I find different fragments written by young Jeremy at the age of four; and I remember he mentioned to me that he learned the Latin Grammar and the Greek alphabet on his father’s knee. Mr Bentham confessed that, in teach-

ing his son, he had taught himself more than he had been ever taught before. Lily's Grammar and the Greek Testament were the two principal instruments of instruction.

Bentham's recollection of the scenes of his boyhood was most accurate; and never did he appear more delighted than when speaking of the two spots, Browning Hill and Barking, the country abodes, in which his two grandmothers dwelt. He had, through life, the keenest sense of the beauties of nature; and, whenever he could be induced to quit his studies, his enjoyment of fields and flowers was as acute and vivid as that of a happy child. To Browning Hill, especially, he was exceedingly attached. "It was my heaven," he used to say; "Westminster School my hell; Aldgate was earth, and Barking was paradise to me." When Browning Hill was sold, Bentham wrote the advertisement, in which he has often told me his affections led him to paint it in a romantic way. It had always to him the interest of a novel, in which the principal characters were women, and those women preëminently excellent ones. "How well do I recollect," he said to me, not long before his death, "the happy community at Browning Hill! My uncle, to whom it belonged, visited it every two or three weeks, to inspect his little concerns, which were superintended by a bailiff named Maberly, who did all domestic services except waiting at table, and who directed matters so prudently and economically, that the three ladies—my grandmother, my great-aunt Mulford, and my little aunt Deborah—lived comfortably upon the estate; and the bailiff himself, without any imputation on his character, was able to occupy a good house, with a considerable shop belonging to it, and, by gradually extending his trade, he became a timber-merchant. He married another servant of the family, and amassed many thousand pounds. Prosperous and fortunate, though in a less degree, was his successor Thomas West, who also married a female servant of my grandmother's; and I heard that they had made themselves a little fortune of £800 by economy and industry. No shadow of re-

proach was ever cast on the characters of those good people. The history of their management, in all its details, would have been, if recorded, a most instructive one. We had, at Browning Hill, a garden and an orchard, bountifully productive; a large extent of stabling and outhouses; venerable elms, scattered here and there, offered ornament and shade; the access to the estate was over a pleasant green, studded with cottages, in one of which lived a little farmer, of whom I recollect the boast, that he had made his children roll in gold. His successful industry had but accumulated petty gains. We were within hearing of the bells of Boghurst church, though it was not in the parish in which the house is situated. Dear to me beyond expression, when first it greeted my ears, was the sound of those three bells; one a little cracked, another much cracked, and the third so cracked as to be almost mute.

"At Browning Hill everybody and everything had a charm; even the old rusty sword in the granary, which we used to brandish against the rats, was an historical, a sacred sword; for one of my ancestors had used it for the defence of Oxford against the Parliamentary forces."

Bentham thus gives the particulars of his earliest education:—"I do not exactly recollect how soon I began to write; but I began to scrawl when I began to read. My father had always kept a clerk; never more than one, for his practice was small; and among that clerk's amusements or duties was my instruction. He taught me the rudiments of writing and music. His name was Thomas Mendham. Painful was it, both to hearer and preceptor, to study the application of the musical art to the violin; for the business of instruction had not then been simplified as it has been since. I was bewildered in a labyrinth, entangled in a maze, in which the unintelligible words, la, mi, re, fa, si, fa, ut, sol, re, ut, assailed my ears and eyes. I at last got through, and found myself in possession of a fiddle in miniature, and able to scrape Foote's minuet. At about six years old, I had a regular music-master, whose name was Jones; he was to improve my practice on the

fiddle, and my father gave him a guinea for eight lessons. I continued to receive lessons from him until I went to Westminster School. Then I lost sight of him altogether for many years. About fifty years since, I saw him again—a venerable man, above eighty, with the look of a gentleman of the old school; and he still managed, although almost blind, to get a subsistence by accompanying ladies on the harpsichord. I visited him in a house where he had handsome apartments, in Scotland Yard. It was a house built by Sir John and belonging to Lady Vanburgh. Jones had expressed a wish to see me. He was sliding fast into the grave. There was a servant above the ordinary condition of domestics, who was serving him with the greatest reverence and affection. He took a fiddle, and made me take a fiddle also; but his musical faculties were almost gone. This was in 1775. It was my last visit."

Now and then the musical acquaintances of his father were invited to tea, and Bentham gathered much instruction from practice at these little family concerts. But he could not get books: he was "starved," to use his own expressions, for want of books.

Bentham was, at this time of his life, so weakly, that he could not mount the stairs without bringing up one leg to the other at every step. In size he was almost a dwarf. He was the smallest boy of his age while at school.

At the age of six, Bentham was taken by his father to visit one of the king's valets, who lived in Stable Yard. The conversation was about nothing, and wearied the poor boy; so he escaped, and hid himself in a closet, where he found a copy of Pope's Homer, which he read with extreme satisfaction and avidity, while they were gossiping. Bentham remembered the dinner to the day of his death. He said "the minced veal was shockingly salt," and he wondered that king's valets did not fare more sumptuously than less distinguished persons. Bentham called himself a gourmand, which he never was; though no man enjoyed his meals more, and few men were so attentive to others when at table.

About the same period of his life he went to the theatre, for the first time—"I thought myself in heaven," he said, "I was in such an ecstasy. In the play were little cherubims coming down from the sky. Miracles were wrought in my sight. I could not form any idea of heaven beyond what my eyes there saw, and my ears heard."

"I was about six or seven years old, when a Frenchman was introduced into the family, to teach me the language of his country. His name was La Combe—a common name; so having a desire to distinguish himself, and being somewhat of a literary man, he called himself La Combe d'Avignon. His errand to England then, was what is a frequent errand of his countrymen now, to learn English, and to teach French, and to make one labour afford payment for the other. The terms of payment became, however, a matter of after dispute. My father found him his board, for some time less than twelve and more than six months: but a sister of my mother's being, during part of the time, an inmate of the house, La Combe considered that to give her the benefit of his instructions was no part of the bargain, though he had benefited by hers. With me there was no quarrel. I was exceedingly fond of him—drowned in tears of sorrow when he left, in tears of joy when he afterwards became an incidental visiter. One sad misunderstanding once took place between us. He had been engaged in writing an English Grammar for the use of Frenchmen. One day, he produced a sheet of it, in which he spoke of the *eye* of a person of the female sex. According to the usage of his own language, the word *œil* being masculine, he had rendered *son œil*—his eye. 'This will not do, as you are speaking of a woman,' said I; 'I beg your pardon, sir, but *son œil* must be translated *her eye*.' He was grievously offended. In vain I assured him it was the English idiom. He was a man and a scholar; I was not only a child, but an ignorant and impertinent child. His ill-humour increased, and I left him in a state of exasperation—exasperated against me, and against himself, on account of the ill success of

those learned labours, of which I had been the object. This, however, was sometime after he had quitted my father's house. His residence in it had been useful and pleasing to me. All the recollections of the toils of learning the grammar were obliterated or absorbed in the delight experienced among the stores of amusement which the language opened to me. My mother—it was a point of principle with her—refused me access to every book by which amusement in any shape might be administered: but the first book that was put into my hands by La Combe was a small collection of fairy tales. It opened with the history of *Le Petit Poucet*, and the *Ogre Family*: then there was *Raquette à la Houpe*, *Cinderella*, and the *Belle du Bois Dormante*; and the one of which *Fenette* was the heroine—*Fenette* and her naughty sisters, *Nonchalante* and the other; and the *Chat botté*. How did I joy over the administration of poetic justice in its most admirable shape, when *Nonchalant*, the wicked would-be seducer, having popped himself into the barrel full of razors and serpents which he had prepared for his intended victim, was himself rolled down the mountain in her place!"

Bentham narrated this to me, as if he were still the impassioned boy. "Don't you remember this?" he said. "Don't you know the story?—you ought to know it. A man," added he, with the most amusing gravity—"a man must be extremely ignorant, not to know that such was the fact." After a hearty laugh from me, which was responded to by his benevolent smile, he resumed—

"Here was great delight; but there awaited me delight much greater; and something more than delight. The fairy tales had not affected the moral part of my mind. Another book of far higher character was put into my hands. It was *Telemachus*. In my own imagination, and at the age of six or seven, I identified my own personality with that of the hero, who seemed to me a model of perfect virtue; and, in my walk of life, whatever it may come to be, why, said I to myself, every now and then, why should I not be a *Telemachus*? In

my sleep I was present at the scenes between him on the one part, and *Calypso* and *Eucharis* on the other. To *Eucharis* I was more particularly attached. I awoke, and found by my side, not *Eucharis*, but my grandmother! What was the special source of attraction in that bewitching island had not, at that time, been unveiled to me: I had no notion of any distinction between the sexes. I had indeed been struck with the fondness and kindness of women. I saw the exhibition of strong affection; and strong affection, whatever might have been its cause, (which then, indeed, was beyond my ken,) was as rapidly imbibed by me as water by a sponge. That romance may be regarded as the foundation-stone of my whole character; the starting-post from whence my career of life commenced. The first dawning in my mind of the principles of utility, may, I think, be traced to it. In the course of one of his adventures, *Telemachus* finds himself in the Isle of Crete, at the time when the form of government being a monarchy, and the throne vacant, election was to be employed for filling it. A course of trial was to be gone through by the candidates, and various were the subjects of contention; one of them being to give answers to questions on constitutional law; and, in particular, the inquiry is mooted as to the best form of government, and the proper objects of government. Different candidates prescribe different answers to the same questions, which, accordingly, are entered on the protocol. One of them seemed to me at the time—though not altogether so precise as it might have been at this time of day—it seemed, I say, to border, at least, on the principles of utility; or, in other words, the greatest-happiness principle. This, however, was not sentimental enough, and the candidate came off at last no better than second best. The prize was adjudged, of course, to *Telemachus*, whose notions seemed to me a short but still too long a tissue of vague generalities, by which no clear impression was presented to my mind. It was too much of a piece with Lord Bacon's notion of a good government, and his

principles of legislation, ending with, "to generate virtue in subjects"—*generare virtutem in subditis*. I was disappointed, and the recollection of my disappointment still dwells in my mind. On every other occasion he was all perfection in my eyes: but on *this* occasion, I knew not well what to make of him. Great was my distress when Mentor takes Telemachus to the rock, and plunges him into the sea. I thought there was an end of my hero. Great was my joy when Telemachus gets on board the ship; but I could not forgive Mentor for the unprovoked outrage. If, in after life, I have felt a certain portion of contempt for classical antiquity, the impressions I received from reading Telemachus were not without their influence. The description of classical hell has been considered authoritative. Had I doubted, my doubts would have been dissipated by the ample and particular assurance which I received in after studies, and from the highest authorities: Sisyphus with his stone, Ixion on his wheel, the Danaides with their sieves. I was between eleven and twelve years old when Homer's description of hell (a miserable succedaneum!) fell into my hands. My heart sank with disgust and disappointment. Virgil's was not so bad as Homer's, but still at an immense distance from Telemachus'. How little did it enter into my thoughts that this history, or this romance, was, for the most part, a well-grounded satire; and that, amongst other things, Idomenes was Louis XIV." The impression made on Bentham's mind, by reading Telemachus, was a permanent one. I have heard him, again and again, speak of the interest with which he followed the Cretan political controversy, and his vexation and disappointment at the poor display made by his favourite, who might, he thought, so much more honourably have won the palm. The goddess of Wisdom, wrapt up, as she was, in the greatcoat of an old man, was much lowered, in his estimation, for not distinguishing and recompensing the wisest of the competitors; but Bentham dared not openly to express his preference. He fancied he could have mended the best of the answers. A short time before his

death, Bentham said to me—"I should like to contrast the impressions which Telemachus would make upon me now, with those it made nearly fourscore years ago. I should like to compare my recollections of the book with the book itself, to see whether they approached the truth. I still remember the flowery tirade, manufactured as a sort of pattern for the competitors for the prize; the vagueness of Telemachus' speechification, and the sound but incomplete doctrine of one of the candidates.

"La Combe induced my father to give me the 'Lettres Juives,' which filled my mind with vain terrors. I could not understand the book, but I was frightened by the accounts of the vampires in it. He recommended some other works, of the propriety of reading which my father doubted. La Combe was, as I afterwards discovered, a freethinker. Voltaire's 'Life of Charles XII.,' his 'General History,' and his 'Candide,' were, in process of time, read by me, on his recommendation. This 'History' was beyond me. It was filled with allusions to facts of which I knew nothing. It is an essence of history. Many years after, I learnt to value and admire it. It is one of the few books that give a just view of things. My father and family differed now and then with La Combe, on religious questions probably: but the good-will and harmony of our home were not disturbed by the debates. My mother and her sister, though pious themselves, had been inured to toleration by family sympathy; for, while the females of my mother's race were believers, and devoutly believers, the males were, for the most part, unbelievers. That was the case with my great-uncle Woodward, my uncle Grove, and my cousin Mulford."

Bentham's father united with his mother in keeping out of his way, as far as he was able, all amusing books. He fancied that there was a concealed contagion in them, and therefore he established a prohibition upon them; and, knowing Bentham's love, or rather passion for reading, he imagined that it would naturally lead him to get hold of whatever books might be most accessible.

The list of these is rather curious, particularly as connected with the impressions they made on Bentham's young mind. "There was first," said he, "'Burnett's Theory of the Earth,' in folio, by which I was informed of the prospect I had of being burned alive; 'Cave's Lives of the Apostles,' in a thin quarto, with cuts, in which the said Apostles were represented playing, each of them, (as a child with a doll,) with that particular instrument of torture by which he was predestined to be consigned to martyrdom. Another quarto was an old edition of Stow's [Chronicle,] in black letter. This Chronicle had stories in it which acted upon me with a fascination similar to that which certain animals are said to be subjected to by the serpent, to which they become, in consequence, a prey. Several pages there were, by every one of which I was filled with horror as soon as ever I ventured to risk a glance at them. Yet never could I venture into the little closet, in which almost the only sources of my amusement were contained, without opening the book at one, or two, or more, of the terrific pages, and receiving the accustomed shock. The book concluded with a description of a variety of monstrous births. I thought the world was coming to an end. My sensibility to all sources of sentiment was extreme, and to sources of terror more particularly so; and these volumes teemed with them. There was also a 'History of England,' in question and answer, by a Mr Lockman, with a quantity of cuts: but my father's caution had not gone so far as to divest the book of its embellishments, though better it would have been for my peace of mind if it had; for there it was that I saw the blessed martyr, Charles, with his head on the accursed block—there it was I saw the holy bishops burning as fuel at Smithfield—there it was I saw the Danish Coldbrand, with a Saxon's sword, in the act of finding its way into his body. Not long after, to this 'History of England,' was added a 'History of Rome,' in like form and demeanour, by the same author. Lockman was secretary to some associated company, into which my father had contrived to intro-

duce himself; which incident was perhaps the cause of the instruction I was destined to derive from these two sources. Lockman was of the number of my father's protégés. He may have given these books to my father. My father had some books: I knew it well; for they sometimes escaped from the receptacle in which he destined them to be buried; the being allowed access to which would have been indeed a pleasure and a privilege to me. Such was 'Churchill's Voyages,' in several volumes folio. I saw them once or twice by accident, but never knew whence they came nor whither they went. In these I should have found instruction, and most useful instruction: but then the instruction would have had amusement to sweeten it; and that idea was not to be endured. My father gave me once 'Phædrus' Fables;' but fables, inasmuch as they are stories in which inferior animals are represented as talking together like men and women, never had any charm for me. One of my tribulations at this time was the learning Church collects: they used to give me the cholic; but my father insisted on my getting them by heart. When living at Aldgate, a volume of Swift's works was left about. There was the poisoning of Curl. I did not know what to make of it, whether it was true or false, serious or jocular. It excited my sympathy, however; a sort of provisional sympathy.

"'Rapin's History of England,' which I often read, whatever benefit it might have been of in other respects, was of little advantage in a moral point of view. Rapin was a soldier by trade, and his history is a history of throat-cutting on the largest scale, for the sake of plunder; and such throat-cuttings and plunderings he places at the summit of virtue. Edward the Third's claim to the throne of France was, in my view, an indisputable one. I followed his conquests in their progress with eager sympathy. My delight grew with the number of provinces given up to him against the will of their inhabitants, and with the number of Frenchmen left dead in the field of battle. Yet do I remember how great was my mortification when, after

so many victories gained, he had, at the head of one hundred thousand men, advanced to the gates of Paris, which I thereupon expected to find given up to him without a struggle, and all France following its example; instead of that, the termination of his career—of this part of it, at any rate—was the same as that of a certain King of France of whom it is narrated, that he,

‘With forty thousand men,
Marched up the hill, and then
Marched down again.’

On Calais, too, I could not help thinking that he had bestowed more time than it was worth. Our conquerors, I observed, had, according to the account given of them by the historian, two main instruments by which their conquests were effected: One of these instruments was the sword,—a brilliant instrument, never beheld by me without delight, as it glittered in my eyes; the other instrument was negotiation,—a word which met my eyes too often, and never without annoyance. Having consigned the sword for a time to the scabbard, Edward betook himself to negotiation; and how it was that so much was to be got by negotiation, and so little, in comparison, by the sword, I could by no means explain to myself, nor find explained. At the sight of the word negotiation, my spirits began to droop; at the sight of the sword, when once more drawn from the sheath, they revived again. In a victorious king, merit was in the direct ratio of the number of armed men slaughtered by him, and in the inverse ratio of those employed in slaughtering them. With this impure alloy, during a great part of my boyhood, was mixed up the pure virtue which the moral part of my frame had imbibed from reading ‘*Telemachus*.’ Such were the contents of my library; a library that was no otherwise my own than by the door being left unlocked of the small room in which the books were deposited; a room on the first floor at the head of the principal staircase, situated over the principal door into the house. At this house, in which my father scarcely ever made a longer stay than from Saturday evening to Monday morning, he had no library of his

own. My mother was too much occupied by her children, and other family concerns, to have a moment's time for books.

“As to my grandmother, she had her own library. It was composed, besides the Bible, of two or three books of devotion, so much in use as nearly to have fallen in pieces. These books, not containing any of them the poison of amusement, there could be no objection to my studying them as much as I pleased. One of them was the book of sacred poetry, by Bishop Ken. It began—

‘Awake my soul! and with the sun,
Thy daily course of duty run;’

the first lines of the first hymn; and to render them the more intelligible, the sun was represented in a vignette as beginning his daily course, and making himself a pattern for me. I feel even now the sort of melancholy which the sight of it used to infuse into me. Another book which was imported for my use, did not contribute to lessen my melancholy: it was ‘*Dodsley's Preceptor*,’ with the *Vision of Phedora*, and the *Hermit of Teneriffe*, found in his cell; the production of the gloomy moralist, Samuel Johnson—of one of the last of whose clubs I became, in process of time, a member. Like Godwin, this man infused a tinge of melancholy, though of a different hue, into every book he touched. There was the poor ideal traveller, toiling up the hill, with Reason and Religion for his guides, and an unfathomable abyss at each side, ready, at the first *faux pas*, to receive his lacerated corpse; as it actually did those of the greatest part of the travelling population whom I saw toiling towards that summit which so few of them were destined to reach. Every now and then, after reading a page in this history, or another page in that system of cosmogony, which taught me to look out for that too probable day in which I should be burnt alive, it occurred to me that I had better not have been born: but, as the misfortune had actually happened to me, all I could do was, of a bad bargain, to make the best, and leave the rest to chance or Providence. Had I had children of my own age to associate with, these gloomy ideas would not have filled

so large a portion as they did of my time. Except once or twice, no such solace was I destined to experience.

“I could, even now, if it were worth while, number up, to a certainty, all the visitors of an age approaching to my own, whom, down to the age of fourteen, I was ever allowed to receive at my father’s house. There was Thomas Skinner, one of three or four sons of a clergyman who was a member of my father’s clerical club: he was of Merchant Tailors’ school; he was two or three years older than I, and twice or thrice he came to Barking. Another was Thomas Lysen, of the same age, the son of a neighbouring bricklayer, with whom my father had occasional dealings; he came to play with me at minnit, or cricket, once or twice every summer. Toulon Flood once spent two or three days with me; and Edward Reeve, one day: these two were my schoolfellows at Westminster, and Flood, for a considerable time, my bedfellow. Reeve’s day was a heavenly one; how I longed for another such! A boy called Shuttleworth came once—but he came in chains—his visit was of no avail: he brought with him his morose tutor—that tutor was our every day usher. These were the only intruders on the solitude and insipidity of my existence. The list of adult visitors to my father is scarcely more diversified: Two old ladies, contemporaries of my grandmother, used to pay one visit a-year. A Mrs White, with two nieces, one in the state of singleness, the other a Mrs Waldo, a widow bewitched, called once every summer. A small house in the neighbourhood, built in antique style, was occupied by Mrs Hutchinson, whose son, a little older than I, used to accompany the family to Barking church, and to perch himself in a pew near to ours: his name was Julius, and he edited, not many years ago, Mrs Hutchinson’s interesting autobiography. I was taught, however, to regard him with contempt: I was told he was more my inferior in learning than my superior in age. There was a Mrs Geddes, the widow of a divine of that name, who had been removed, years before, to another, and, let us hope, a better world: I believe he had been the author of a pon-

derous volume of divinity, which I never read. Of Mrs White, I only remember that she was distinguished for the strength of her jaws; and, when considerably above seventy years old, no stone of peach, apricot, or nectarine, could resist them. Mrs White excited my astonishment, while she removed a smaller mote from my eye by the introduction of a larger one; it was a round black seed, which she called *Oculus Christi*; and whether its operation was natural or miraculous, the reader must judge. I can aver that, after its application, the annoyance ceased to trouble me. There was one visitor—rather an unwelcome one—a great-aunt, of the name of Powell, who was received on the footing of a poor relation; she was a sister of my grandmother Bentham, and came across the water from Woolwich. She had made a disparaging match with an operative in the neighbourhood of the dockyard, and was therefore in disgrace. Of her existence, no traces remain in my memory.

“Scarcely as often as once in a season, my grandmother, accoutred in sable muff and tippet, used to make a visit of ceremony, in her carriage. About as often was a visit paid by a relation and contemporary of the same sex, who came from Woodford, and to whom a dinner of ceremony was given. This was a Mrs Archer, to whom I was taught to pay homage, under the appellation of Aunt Archer; the auntship consisting in that her husband had had for a first wife a sister of my grandmother. She was in some way or other my grandmother’s cousin. She had a maiden sister who sometimes dwelt with her, and sometimes in a small tenement adjoining; at whose death I received an old gold watch and a trifling legacy. Once or twice in the year I used to accompany my father to Woodford, and saw Mr Archer, who had retired upon a fortune of £15,000, made by the sale of ivory. They spent little, kept no carriage, no town-house, exhibited no marks of hospitality, had not even to offer us a spare bed, to my no small mortification. Yet the visits interested me: their garden was larger than ours, and had two ponds at different levels. The change

broke the permanent monotony of my father's house, and diversity was to me a treasure of the greatest rarity. I recollect one visiter, whose presence was singularly agreeable: it was a Mr John Bonnet, of a French refugee family, a working jeweller by trade, and of my father's age. There were two Bonnets among our acquaintances—the other's name was Benjamin; but I know not if they were allied. Benjamin, in comparison with John, was a magnificent personage: he was no less than a notary-public. He wore a wig of fashion—at any rate of city fashion,—while poor John wore nothing better than a wig of business. In those days, whatever was his profession or rank in life, a man might be distinguished by his wig with little less certainty than a peer by his coronet, or a monarch by his crown. We had Mr John Bonnet's company for a day or two, and took an excursion as far as the Thames, Barking being at the head of a creek which runs up a couple of miles. At the outset of our walk, and as evidence of what I had learned in French, my father proposed that, during the whole excursion, a halfpenny should be paid, as a fine, for every word of English spoken. The joke was, that Mr Bonnet, though a Frenchman born, or, at any rate, educated by a Frenchman born, made the most numerous mistakes; at all events, my pockets were replenished with halfpence."

When a very little child, having been escorted by his grandmother from Browning Hill to Andover, Bentham was left in an upper story, and saw, for the first time in his life, that the water in the hand-basin had been converted into a cake of ice. It was the winter season, and ice was everywhere abundant, so that he thought he might indulge the fancy of seeing what would happen if he threw the ice-cake out of the window. He flung it out. It broke, of course, into a thousand pieces. The little boy's heart throbbed with joy; but the joy was soon overclouded with the thought that mischief had been done. The association between the ice and the hand-basin was so strong in his mind, that he could not

fancy himself blameless; and he was long tormented by the fear of discovery and its consequences. Throughout life, the apprehension of blame was strong in Bentham's mind. An expression of displeasure from those with whom he associated would at any time have sorely distressed him. His dread of punishment was extreme; and he was never visited by corporeal punishment from any hand whatsoever. I remember once putting the question—"Were you ever chastised at school?" and he answered with great earnestness—"Oh, never! never! never!—never punished by master—never engaged in any the slightest skirmish with any boy, except once, when at Westminster School. They surrounded a lad named William Sewell and myself, and forced us upon a sort of hostile encounter. He was the son of Sir Thomas Sewell, then or afterwards Master of the Rolls, and whom his father appointed to one of the six clerkships in Chancery."

This Sir Thomas Sewell had been, at one time, the intimate friend of Bentham's father; and of that intimacy old Bentham frequently boasted to his son. He had, for his town residence, one of the tall houses in Lincoln's Inn Square; and, for his country abode, an estate he had purchased at Ottershaw, in Surrey. At Ottershaw, Bentham once dined, being conducted thither, not by his father, but by Chamberlain Clark, and introduced to Sir Thomas as "the son of his old friend." This was the first time of his seeing a gentleman of whom his father had been constantly speaking for fifteen or sixteen years, as one with whom he was closely allied. They had, as he stated, marked out their course together by mutual understanding, and for mutual help: Sewell to become a barrister—Bentham (senior) to be an attorney. Sewell's circumstances were very narrow: he had about £70 a-year; and, when he entered into his chambers, they were papered by the hands of the two young men in order to save expense. Sewell was a scholar. He wrote an essay on speech and grammar. It had some merit, but not of a transcendent character. It, however, served as

an introduction to a gentleman, whose daughter he afterwards married, and who brought him a fortune of £15,000. He had previously reached some eminence in his profession. Among the presents he received from the hands of his future bride, was a silver cork-screw, wholly inefficient for its intended use, but which he constantly introduced for the sake of telling his guests from whom he received it, its inaptitude for cork-drawing giving him daily occasion to dilate upon it. He never visited Mr Bentham, senior, nor Mr Bentham him; and the "*tam propè, tam propinque*" was a matter of great mystery and embarrassment to Bentham, junior. It never entered his mind, he said, to think of blaming his father. Such a thought he would have ignominiously expelled as a thought of sin and guilt: but when turning over, in after life, his own prospects for futurity, "the intimate friend of his father, the Master of the Rolls," often occurred to him as one from whom he might have looked for a helping hand.

Thomas Sewell, the son of Sir Thomas, married a lady of quality of the family of the Earl of Louth, in Ireland. She had more rank than money, and her husband soon got into the King's Bench. A second son was a midshipman, who was none of the brightest. When he was examined for his grade, he was asked what he could do in a certain case of naval manœuvre? He was silent. The examiner then inquired—"Would you use a messenger?" (A messenger is a nautical term for some sort of rope.) "No!" said he, "I would send my own servant." One son (William) was alive in 1827, and holding one of the Six Clerkships in the Court of Chancery, given to him by his father. Sir Thomas, like most of the lawyers of his time, was a man of narrow mind, and of rough, vaunting, and imperious manners. He took the occasion of Bentham's visit with Chamberlain Clarke, to give him a sort of rhetorical pedagogical lecture in the shape of instructions as to what he ought to read; which instructions were the subject matter of many a subsequent joke between Clarke and his companion.

"Read Xenophon, the greatest general, the greatest philosopher, the greatest historian; read such a one;" and then followed a pompous and inappropriate description of the author. Some time after, Bentham met Sir Thomas at a Manor Court. He (Bentham) carried with him a little volume of Epictetus, in the original tongue; and he produced it in Sir Thomas's presence, with the design of ingratiating himself with the great man, and of showing that his suggestions, as to classical reading, had not been thrown away: but the scheme failed—he took no notice—he gave Bentham no invitation.

"In Lincoln's Inn Fields, stand, or stood, contiguous to one another, two houses with balls on them. They were among the fruits of the genius of Taylor the architect, (father of Michael Angelo Taylor,) who had, from these and other buildings, acquired the sobriquet of Ball Taylor. One of these houses was built for Sir Thomas Sewell. It either fell or was burned down, and was then rebuilt in its present form. Many were the changes in the occupiers of these houses; and Mr Burton, an eminent solicitor, succeeded Sir Thomas Sewell. Lord Kenyon followed Mr Burton. Abbott's (Lord Colchester's) elder brother, when he bought his great office and married, occupied the other, and died there in 1792. Lincoln's Inn Fields was then the abode of high life."

Bentham took no walk into the country as a boy, of which he did not retain a recollection as a man. In reading to him some of the memoranda of his father's diary, he at once recalled the most minute circumstances. One day I remarked to him a note—"Went with Jerry to the Creek." "Well," said he "do I remember it. It was a voyage *par terre et par mer*. I passed through great perils. It was a memorable day, indeed, whose history I related to the boys at Westminster, when I got back. In crossing the swamp of a meadow, we were attacked by a bull. We had incurred the indignation of his bullship, and my father took me in his arms and threw me over a gate. The bull vented his indignation against the gate; but it passed

harmless by me. Such was the land adventure; the water adventure was this:—Our boat passed under the rope by which a vessel was moored, and I should have been thrown overboard and drowned if I had not dipped my head. Two awful perils in one day.”

I do not deem it necessary to apologize for the insertion of many circumstances, in themselves trivial, but which had their influence on the colour and character of Bentham's mind. It were well if anecdotes of childhood were more diligently collected; and if the seemingly unimportant events of early life were more thoughtfully watched and studied, both by parents and observers. And in the case of Bentham, I scruple the less: as, on the one hand, the accuracy of his recollection was wonderful; and, on the other, his sagacity enabled him to trace the influence of passing, however remote, circumstances upon the whole fabric of his thoughts and feelings. His humanity to animals was among his prominent virtues. Their susceptibilities to pain and pleasure he studied, and made the constant subject of his care. He knew very well that legislation could not put a stop to many of the sufferings to which they are condemned: but he always insisted on the necessity of applying the powers of legislation, as far as possible, to the diminution of the miseries of the brute creation. One anecdote I will give in his own words:—

“We had a servant, whose name was Martha: a woman of kindness and gentleness; and the kindness of her temper ameliorated mine. One day, while I was a little boy, I went into the kitchen. Some earwigs were running about. I laid hold of them, and put them into the candle. Martha gave me a sharp rebuke, and asked me, how I should like to be so used myself? The rebuke was not thrown away. About this time, a neighbouring decayed gentleman, of the name of Vernon, came to pay a morning visit to my grandmother. By way of recommending himself to my favour, he brought with him, in his pocket, a toy of his own manufacture. It was a cage for the reception of flies, formed by two horizontal slices of cork connected together by uprights composed of pins.

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All but one were fixed—that one was moveable—and the amusement consisted in catching the miserable animals and cramming them into the cage, till it would hold no more. Sometimes they got in with all their limbs; sometimes with one or all, or any number between one and all, torn off. When I had amused myself with the instrument for some minutes, a train of reflection came across me; the result was an abhorrence of the invention, coupled with a feeling not far short of abhorrence for the inventor and donor.”

Bentham mentioned another circumstance, connected with his feelings towards animals, in the following manner:—

“My uncle's house, in Hampshire, was the scene of a very useful lesson. A personage, of no small importance in the family, was a dog named Busy. He was a model of the conjunction of fidelity and surliness. A very slight cause sufficed to elicit from him a loud and long-continued growl. No beggar durst approach the house. I myself stood in no inconsiderable awe of him. One day I thought to find amusement in fomenting a quarrel between him and another dog. While I was thus employed up came my uncle, and reprimanded me for my cruelty. I felt it bitterly; for it was the only token of displeasure I ever experienced from him, from the day of my earliest recollection to the day of his death, which took place in 1784. He was one of the gentlest of all human beings, though a lawyer by profession.

“During my visits to Barking, I used to be my grandmother's bedfellow. The dinner hour being as early as two o'clock, she had a regular supper, which was served up in her own sleeping room, and, immediately after finishing it, she went to bed. Of her supper, I was not permitted to partake, nor was the privation a matter of much regret. I had what I preferred—a portion of gooseberry pie; hers was a scrag of mutton, boiled with parsley and butter. I do not remember any variety.

“My amusements consisted in building houses with old cawls, and sometimes playing at ‘Beat the knave out of doors,’ with my grandmother. My time of

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going to bed was perhaps an hour before hers: but, by way of preparation, I never failed to receive her blessing. Previous to the ceremony, I underwent a catechetical course of examination, of which one of the questions was—'Who were the children that were saved in the fiery furnace?'—Answer—'Shadrach, Meshach, and Abednego;' but as the examination frequently got no farther, the word Abednego got associated in my mind with very agreeable ideas, and it ran through my ears, like Shadrach, Meshach, and *To-bed-we-go*, in a sort of pleasant confusion, which is not yet removed. As I grew in years, I became a fit receptacle for some of my grandmother's communications, among which the state of her family, and the days of her youth, were most prominent. There hung on the wall, perpetually in view, a sampler, the produce of the industry and ingenuity of her mother or her grandmother, of which the subject matter was the most important of all theologico-human incidents, the fall of man in paradise. There was Adam—there was Eve—and there was the serpent. In these there was much to interest and amuse me. One thing alone puzzled me; it was the forbidden fruit. The size was enormous. It was larger than that species of the genus *Orangeum* which goes by the name of the forbidden fruit in some of our West India settlements. Its size was not less than that of the outer shell of a cocoa nut. All the rest of the objects were, as usual, in *plano*; this was in *alto*, indeed in *altissimo rilievo*. What to make of it, at a time when my mind was unable to distinguish fictions from realities, I knew not. The recollection is strong in me of the mystery which it seemed to be. My grandmother promised me the sampler after her death as a legacy; and the promise was no small gratification: but the promise, with many other promises of jewels and gold coins, was productive of nothing but disappointment. Her death took place when I was at Oxford. My father went down; and, without consulting me, or giving the slightest intimation of his intention, let the house, and sold to the tenant almost everything that was in it. It

was doing as he was wont to do, notwithstanding his undoubted affection for me. In the same way, he sold the estate which he had given to me as a provision on the occasion of his second marriage. In the mass went some music-books which I had borrowed of Mrs Browne. Not long after, she desired them to be returned. I stood before her like a defenceless culprit, conscious of my inability to make restitution; and, at the same time, such was my state of mental weakness, that I knew not what to say for apology or defence.

"My grandmother's mother was a matron, I was told, of high respectability and corresponding piety; well-informed and strong-minded. She was distinguished, however; for, while other matrons of her age and quality had seen many a ghost, she had seen but *one*. She was, in this particular, on a level with the learned lecturer, afterwards judge, the commentator Blackstone. But she was heretical, and her belief bordered on Unitarianism. And, by the way, this subject of ghosts has been among the torments of my life. Even now, when sixty or seventy years have passed over my head since my boyhood received the impression which my grandmother gave it, though my judgment is wholly free, my imagination is not wholly so. My infirmity was not unknown to the servants. It was a permanent source of amusement to ply me with horrible phantoms in all imaginable shapes. Under the Pagan dispensation, every object a man could set his eyes on had been the seat of some pleasant adventure. At Barking, in the almost solitude of which so large a portion of my life was passed, every spot that could be made by any means to answer the purpose was the abode of some spectre or group of spectres. The establishment contained two houses of office: one about ten yards from the kitchen, for the use of 'the lower orders,' another at the farther end of the little garden, for the use of 'the higher,' who thus had three or four times the space to travel, on these indispensable occasions, more than that which sufficed for the servile grade: but these shrines of necessary pilgrimage were, by the

cruel genius of my tormentors, richly stocked with phantasms. One had for its autocrat no less a personage than *Tom Dark*; the other was the dwelling-place of *Rawhead and Bloody Bones*. I suffered dreadfully in consequence of my fears. I kept away for weeks from the spots I have mentioned; and, when suffering was intolerable, I fled to the fields. So dexterous was the invention of those who worked upon my apprehensions, that they managed to transform a real into a fictitious being. His name was *Palethorp*; and *Palethorp*, in my vocabulary, was synonymous with hobgoblin. The origin of these horrors was this:—My father's house was a short half-mile distant from the principal part of the town, from that part where was situated the mansion of the lord of the manor, Sir Crisp Gascoigne. One morning, the coachman and the footman took a conjunct walk to a public house kept by a man of the name (*Palethorp*); they took me with them: it was before I was breeched. They called for a pot of beer; took each of them a sip, and handed the pot to me. On their requisition, I took another; and, when about to depart, the amount was called for. The two servants paid their quota, and I was called on for mine. *Nemo dat quod non habet*—this maxim, to my no small vexation, I was compelled to exemplify. Mr *Palethorp*, the landlord, had a visage harsh and ill-favoured, and he insisted on my discharging my debt. At this very early age, without having put in for my share of the gifts of fortune, I found myself in the state of an insolvent debtor. The demand harassed me so mercilessly, that I could hold out no longer: the door being open, I took to my heels; and, as the way was too plain to be missed, I ran home as fast as they could carry me. The scene of the terrors of Mr *Palethorp's* name and visitation, in pursuit of me, was the country-house at *Barking*: but neither was the town-house free from them; for, in those terrors, the servants possessed an instrument by which it was in their power, at any time, to get rid of my presence. Level with the kitchen—level with the landing-place in which the staircase took its

commencement—were the usual offices. When my company became troublesome, a sure and continually repeated means of exonerating themselves from it, was for the footman to repair to the adjoining subterraneous apartments, invest his shoulders with some strange covering, and, concealing his countenance, stalk in, with a hollow, menacing, and inarticulate tone. Lest that should not be sufficient, the servants had, stuck by the fireplace, the portraiture of a hobgoblin, to which they had given the name of *Palethorp*. For some years, I was in the condition of poor Dr Priestley, on whose bodily frame another name, too awful to be mentioned, used to produce a sensation more than mental."

Shall I seek excuses for introducing these autobiographical sketches? I think not. They are faithful as pictures; they are interesting as philosophical studies.

"Another instance of the influence of horror in me:—I recollect, when I was about nine or ten years old, I went to see a puppet-show: there were *Punch* and *Joan*—the devil, whom I had seen before; but I saw, for the first time, the devil's imp. The devil was black, as he should be; but the devil's imp was white, and I was much more alarmed at his presence than at that of his principal. I was haunted by him. I went to bed; I wanted to sleep. The devil appeared to me in a dream: the imp in his company. I had—which is not uncommon in dreams, at least with me—a sort of consciousness that it was a dream; with a hope that, with a little exertion, I might spring out of it: I fancied that I did so. Imagine my horror, when I still perceived devil and imp standing before me. It was out of the rain into the river. I made another desperate effort. I tried to be doubly awake; I succeeded. I was in a transport of delight when the illusion altogether vanished: but it was only a temporary relief; for the devil and the imp dwelt in my waking thoughts for many a year afterwards. On the same occasion, I believe it was, that I saw '*Solomon in all his glory*,' and the story of *Esther*: there was *King Ahasuerus*; there was *Queen Esther*; there was *Mordecai the Jew*; there was *Haman*

the courtier. One emphatic phrase from Ahasuerus to Esther, I well remember:—

“‘Ask what thou wilt, and I will give it thee.’

“The acting of the wooden tragedian amused me not a little. It dwelt long in my memory; and on my return to school, I amused with it my bed and chamber fellows, imitating the motions of the wooden imitators, whose arms and legs were moved by a wire—thus:”

And most amusingly, even at the age of eighty, did Bentham represent the stiffness, gravity, and dignity of the fantoccino of his boyhood.

“Bursts of laughter followed my exhibition; and my own low stature, something midway between that of the wooden actors and my school-fellows, added to the effect.

“I not unfrequently obtained the applause of my companions, by thus contributing to their pleasures. One of my modes was to start up out of my bed at night, and to begin ranting, in a sort of medium state between waking and dreaming. I heard it called light-headedness. The first commencement of it may have been unbidden: but, finding that it attracted attention and afforded amusement, art came and assisted nature. I recollect, on one occasion, I was overpowered with terror. I had been reading ‘Plutarch’s Lives,’ the old translation, ‘by diverse hands;’ Dryden, I believe, among the rest. To every life there was a cut. Sylla, after his abdication, was represented in his civic costume, with a long flowing head of white hair. In several of the pictures the unskilfulness of the artist had produced a ghastly effect; and, in the portrait of Sylla this was so much the case, that it wrought upon my morbidly susceptible frame. One night I awoke in horror, with the image of Sylla before me: for many years thereafter did that same image continue its visitations. That night I continued raving for a considerable length of time. In other days, and in a similar state of things, the ravings might have passed for inspiration; and I might have been a prophet, or something more than a prophet—the founder of a new sect. When I was promoted to the companionship of

boys of a higher age, and about to leave the school for the university, the *enfance* evaporated. I was tranquil and happy while in Mrs Morell’s boarding-house; for I had a bedfellow, in whose presence, as was natural, ghosts never ventured to make their appearance: but, during the holidays, when I was removed to Barking, and after I had become too old to be my grandmother’s bedfellow, I became sole occupant of a large unfurnished bedroom—a fit place for the visitation of nocturnal visitors; and then and there it was that the devil and his imp appeared to me.

“I was a favourite, a timid child, who gave offence to nobody; and one more dutiful could not exist. Two or three instances of early aberrations I distinctly remember. One of these was a subject of long-continuing affliction. On a dresser, not far from the fireplace in the kitchen, was, as I mentioned, a portrait of Palethorp, sketched with a fork on the wainscot, constantly before my eyes. I got chattering with the footman, and, whether in play or in anger, I forget which, as I forget the immediate cause, I took up a pair of scissors which were within reach, and threw them at him. (At this time I was not breeched.) I took aim but too well: they hit him in the eye. Whatever was his pain of body, my pain of mind was greater. Sad was the disgrace into which I found myself plunged. My father, though in all his life he never struck me, yet, being fond of power, and of everything that could afford ground or pretence for the exercise of it, exercised on me, on this occasion, this talent of his with little mercy. I was sentenced to banishment. It happened to be migration time; my grandmother was gone to Barking already. Instead of being conducted to my father and mother, at the time of the usual weekly visit, I was sent off, in the middle of the week, with all my infamy on my head. I remembered this for many years after; and, as for any use that this severity had on me, none can I find. The accident had not its origin in my ill temper; and there was nothing from which the punishment would preserve me. The man was under the care of a

surgeon for days, if not weeks. He recovered; and his sight continued uninjured: but in this, or other ways, my mind was seldom without something gnawing upon it."

Bentham's father amassed a considerable fortune, principally by successful purchases of lands and leases. His vanity was flattered by the distinctions which Bentham obtained from his earliest years; and he fancied his son would become the stepping-stone to his own elevation. But Bentham's mind responded to no call of vulgar ambition; and he had to bear perpetual reproaches for not stretching out his hand to gather the fruits of worldly fame, which he was perpetually reminded had ripened for his own fruition. But the enjoyments of Bentham were of a far different and a far higher order; and, while his father sighed over his "bashful folly," he was laying up for himself the richest intellectual treasures.

The impression made on Bentham's mind by the books he read in his childhood, was lasting. With the most amusing *naïveté* he would recall, in old age, what he thought, in his youth, of the books that were either placed in his hands, or which he was enabled to reach, in spite of a theory, both of his father and mother, that books of amusement were unfit for children.

"When I got hold of a novel, I identified myself with all the personages, and thought more of their affairs than of any affairs of my own. I have wept for hours over Richardson's 'Clarissa;' in 'Gil Blas,' when very young, I took an intense interest: I was happy in the happiness, uneasy in the uneasiness of everybody in it. I admired 'Gulliver's Travels;' I would have vouched them to be all true: no romance, no rhodomontade, but everything painted exactly as it happened. The circumstance of his being condemned to death for saving the capital, was excellent. I was very anxious in his behalf, particularly when chained down by the pigmies. I was sad when I saw the Laputans in such a condition; and I did not like to see my own species painted as Yahoos. 'Robinson Crusoe' frightened me with the story of

the Goat of the Cave; it was a moot point with me whether it was a goat or the devil. I was indeed comforted to find it was a goat. 'The Pilgrim's Progress' frightened me still more; I could not read it entirely through. At Westminster School, we used to go to a particular room to wash our feet; there I first saw an imperfect copy of 'The Pilgrim's Progress': the devil was everywhere in it, and in me too. I always was afraid of the devil; I had seen him sowing tares, in a picture at Bognor: how should I know it was not a copy from the life? I had seen the devil too, in a puppet-show; I dreamt about him frequently: he had pinched me several times, and waked me. I had frequent dreams of a desire to go east; but I found interminable lugubrious buildings between me and the Strand, and melancholy creatures walking about. How much less unhappy I should have been, could I have acknowledged my superstitious fears! but I was so ashamed! Now that I know the distinction between the imagination and the judgment, I can own how these things plagued me, without any impeachment of my intellect.

"I read Timothy Peascod's history; he was hanged, and I did not like this, because it put an end to him; and I was not fond of hanging. Camden's *Britannia* was a serious book, so I was allowed to read it; besides, it was too big to be put away on the shelf, and was therefore left about. My father used to talk about 'Tristram Shandy,' and 'the black page in Tristram Shandy.' I often took it up, but could not find the black page. It seemed to me strange stuff; there was no coherence. I often saw the ladies giggling over it. Once my father took it out of my hand. Moliere's plays were among the books at Barking. I did not like the allegorical parts or the ballets: they confused me; they were insipid;—I wanted facts. 'Theron and Aspasia' pleased me; it was full of slang, and slang was amusing. I read the 'Paradise Lost,' and it frightened me. There was the pandæmonium with all its flames. The book looked like something between true and false, and I did not know how much might be true. 'Paradise Regained'

was very dull. I read Johnson's 'Account of the Hermit in his Cell,' and it was a sad drawback on my happiness. His mind was essentially ascetic, and he brought nothing new to me—no facts, no chemistry, no electricity—all was gloomy and tasteless. 'Thomson's Seasons' I also read, with a sort of fancy that they might be very fine to some people, though they brought no pleasure to me. 'Gay's Fables' I also read; they did not interest or instruct me. I knew that his stories of cocks and bulls were not true."

Of his studies, Bentham, on another occasion, gave this account:—

"At Browning Hill, was the refuse of the stock of my great-uncle Woodward. There was 'Locke on the Understanding,' 'Clarendon's History of the Rebellion,' 'Burnet's History of His Own Times,' all Richardson's novels, 'Mandeville's Fable of the Bees,' 'Clarke on the Trinity,' 'Tindall's Christianity as old as the Creation,' 'Atalantis,' a collection of novels. There was 'Kämpfer's History of Japan,' a very curious book. The author was physician to a Dutchembassy, and went up to the capital of that island. He was a good botanist, and an intelligent man. Taken altogether, there was a pretty good supply for the three months of each year which I was there. I used to climb a lofty elm, and read in its branches. I was the more fond of this while the labourers were thrashing corn in the neighbourhood, as I was delighted to be in society with which I was not compelled to mix. No situation brought with it more felicity than to hide myself in the tree, and, having read for some time, to descend to gather up wheat for the peasants to thrash, and then to mount again to my leafy throne. In the summer-house, too, a few books were scattered. There were a few numbers of the 'Mercurius Rusticus,' a periodical of 1660. There were the 'Memoirs of the Marquis de Langallerie,' a French adventurer; he entered into a treaty with the Grand Seignior, who, at that time, used to be crowned with the sun and moon. There were 'Harris' Voyages,' two volumes in folio. So that there was abundance of occupation for me. 'Pame-

la' was written, a good part of it, in the summer-house at Browning Hill, so that the interest became extreme. 'Clarissa' kept me day after day incessantly bathed in tears. Tindall's book filled me with such astonishment that I could not believe my eyes, and I went frequently to the originals, to verify his quotations. I was puzzled by Locke's fictitious entities—such as *power*. But I was pleased with the advantage he had over Bishop Stillingfleet, a grandson of whom (a proud, pompous fellow) was afterwards one of my companions at College. He had the manners of a dogmatical parson, while yet an under-graduate. I do not know what became of him. I had heard 'Locke's Essay' spoken of in the highest terms; so I read it as a duty. I read Clarendon with great interest, but could not understand the difference between his narrations and Burnet's, who was by far the honester man of the two. He was short sentenced and clear; the other rolling and inflated. Burnet was one of the best of bishops—a kind, straightforward man. Pepys speaks of the bribes that Clarendon used to take.

"The parsonage-house of Boghurst was contiguous to the church. There was an entrance from the church-yard to the garden, which, with the parsonage-house, was in the occupancy of my cousin Mulford, son to my great-aunt; the minister of the parish living elsewhere. My uncle Grove, a kind and good creature withal, was a man of small mind; but nothing could be more devoid of amusement than his society was, to an ardent, acutely sensitive, and inquisitive boy; so, on every possible occasion, I broke away from Browning Hill, to quarter myself on my cousin Mulford, from whom I always experienced the kindest reception. His was a very whimsical character. At an early age, between thirty-five and forty, he abandoned a prosperous business to live a single life at the Browning Hill parsonage. His mind was full of knickknackery and conceit; he was familiar with the practice of various handicraft arts: he was a blacksmith, a whitesmith, turner, carpenter, and joiner; he did, in fact, everything that could be done by hand;

he was, at the same time, an amateur surgeon, and practised gratuitously, to a considerable extent, for the benefit of his poor neighbours. He had lived in a low and irregular way; was a sort of rake: but his rakery had been considerably subdued by this his country retreat, where his attentions were confined to one woman—a widow, or a widow bewitched, of a lieutenant in the navy. Never shall I forget how I was appalled when a Quaker farmer, who was in company with my uncle and cousin Mulford, jeered them, in my presence, on the irregularity of their amours. No suspicion of such irregularity had ever before crossed my mind, and a sad tribulation it must have been to their respective mothers. I remember a daughter of my cousin's calling on me, borne down by poverty and premature old age. My cousin was a member of a perpetual drinking club, of which the rule was—that the drinking-room should never for a moment, in the whole year, be empty, so that, by resorting to it, society, such as it was, was always to be found. Drunkenness did not necessarily form a part of the attributes of this club; for, during the sixty years and more that I knew this cousin of mine, I never saw him intoxicated, nor did I ever hear of his being so. His opinions were extraordinary: he had a notion that whatever was in print was a lie. I asked him whether, if a fact had taken place, the putting it in print would cause it not to have taken place?

"I remember once, in his wisdom, he quoted, as evidence of the disposition of the Chinese to cheat, that a friend of his, in buying seeds in China, had got just such seeds as he could have got in England; as if the Chinese were the better for his friend's disappointment, or were bound to know what seeds grew here. He thought it a marvellous fine thing to cheat, and I did not fail to observe that the man who had the wit to cheat another, rose immediately in his opinion.

"When I was about twelve years old, he left the parsonage-house, to my great grief, and took a small abode on the banks of the Thames. I could not divine his motive; for the parsonage gave

him all the enjoyments he desired: abundance of game, which he shot without any qualification; he had an aviary stocked with partridges, which he caught with his setting dogs. He was a man, though not of large stature, of remarkable strength: but he once spontaneously told me he had been outmastered by the woman with whom he lived. I suspect this connexion was the primary cause of his migrating from the parsonage. My grandmother Grove sometimes visited the widow, and, on one occasion, she took me with her; but told me, on the way, how very reluctant her visits were to a person whose conduct, if closely inquired into, could not bear the test of scrutiny. To me the visit was very charming. I was treated with rare sweetmeats, and got possession of a delightful book, a novel in four volumes, called 'The Invisible Spy'—the heroine of which had, by the favour of an old magician or wonder-maker, acquired the secret of making herself occasionally invisible. Mr Mulford was fond of gardening; and in his library there was, in 3 vols. 8vo, one of the earliest editions of 'Miller's Gardeners' Dictionary,' which I read over and over till I had got all the names by heart. There was also a publication, entitled, 'Pills to Purge Melancholy,' in seven or eight volumes, with notes.* 'Bulwer's Artificial Changeling,' was a source of great amusement to me, from the quaint titles of the chapters or sections; but my cousin took the book out of my hands. There were also some medico-chirurgical books, but not of the most modern or most improved choice. He shut up the books in a cupboard. He used to leave the key in: but there was a particular art in managing the lock, so that a stranger could not open it. I used to play with him at backgammon. His mornings were spent in gathering mushrooms, or gathering nuts. He was a sprightly man. He had a little smattering of Latin, and a little smattering of French, but was a perfect roué.

"My righteous cousin—for such was

* "Pills to Purge Melancholy," being a collection of the best merry songs and ballads, old and new. By the celebrated Thom Durfy. 6 vols. London, 1720.

the name he bore—had a crony of the name of Mayo, a clerk in the bank. His form was globular.

“My cousin’s habits were frugal. He saw little company; and the pittance with which he withdrew from business, had accumulated, when he died, to £20,000 or £30,000. I imagined it was to be mine; and my disappointment was great at finding it disposed of—much more properly—among a multitude of relations; none indeed so near as I was, but, for the most part, poor; and elevated, by the dispersion of this property, into a state of competence. My brother and I, however, were left by him about £3,000, and a similar sum, the proceeds of an estate, which to my cousin’s mortification and unassuageable wrath, was entailed, after his death, upon my uncle Grove, and from him to me. My visits to my cousin were frequent, and generally of two or three weeks at a time; and I became acquainted with such of his neighbours as he was on terms with. Among these was a Quaker of the name of Harris, an extensive gentleman farmer, inhabiting a nice house, who introduced me to his two sons and two daughters. The eldest of his sons (John) married one of the many daughters of a Mr Plowden, a neighbouring country gentleman, descended from an ancient family, ranking in it the founder of All-Soul’s College, Oxford; to education in which, his children were in consequence entitled. The great author of ‘The Commentaries’ was also, I believe, one of his ancestors. He was the hero of a crim. con. case, which made much noise at the time, where the seducer was a reverend divine of a noble family, the rector of a neighbouring parish. I remember dining with the said divine on a Sunday, after he had officiated; and his dress was a white coat, faced with black velvet; a white waistcoat; and black velvet small clothes; and in his shoes stone buckles to imitate diamonds.”

I have often heard Mr Bentham speak of the state of society at that period, and in that district—the elopements of women—the irregularities of men—and the vicissitudes which, in his experience, had

followed the greater portion of the families with whom he was acquainted in his boyhood, and whose adventures he had followed in after years. Some of the details of penury are so distressing, some of the facts of profligacy so disgusting, that I think it best to suppress them. Connexions, relatives, or descendants of these families, no doubt, exist; and I should feel that I was giving pain, with no sufficient balance of good, were I to individualize those cases, which, however they might illustrate the manners of the time, would shock the susceptibility of some, and scandalize the feelings of others. Sure I am that, in the course of three-quarters of a century, the morality of the country gentry and the more opulent race of farmers and traders has undergone a most marked and obvious improvement; that society would not, at the present time, tolerate habits and usages which were almost universal seventy or eighty years ago; that temperance and chastity, veracity and good faith, are much more rarely violated now than then: in a word, that the former times “were not” “better” nor wiser, but, on the contrary, far less virtuous, and far less instructed “than these.”

Of some of his early tastes Bentham, only a short time before he died, gave the following description:—

“I was passionately fond of flowers, from my youth, and the passion has never left me. My aunt Grove was fond of flowers, and had a few geraniums, which she called *gerrnums*. I loved to gossip with a very fine old man, the gardener at Bognor. He had a strange style of conversation, and would often ask me, ‘What would the king say to this?’ And then I asked him, what, in his opinion, the king would say? I was at that time reading ‘Rapin’s History of England,’ full of kings and queens, and it was delightful to hear from him what he thought the king would say. It appeared to me that the gardener treated the beautiful flowers very roughly. So long as I retained my smell, a wall-flower was a *memento* of Barking, and brought youth to my mind; for the wall-flowers covered the walls, with their roots between the bricks. If I were a draughtsman I could

give the site of every tree; and, without being a draughtsman, I can describe every particular about the house. On the borders of the garden were honey-suckles trained to standards, tulips in the beds: a noble pear-tree, which covered the whole house; I can remember all. When I was at Oxford, I found there was a botanical garden. A gardener was there, who was very civil to me. His name was Foreman; and he was foreman of the garden, and had been so for fifty years. He allowed me to take seeds. A little before then, I laughed at botany students. I remember being much delighted at hearing there were Bee Orchises near Oxford, and more delighted still when I discovered one. When I read 'Miller's Dictionary,' and learned that the Man Orchis was to be found near Reading, I started for the place, but found not the flower. It is not much like a man after all. When I last went to Oxford, and visited the physic-garden, I found it much degenerated. Many of the things I used to see were gone. I loved botany for the sake of its beauties. Of a wilderness at Ford Abbey—a perfect wilderness—I made a beautiful spot. I paid £400 to £500 a-year, and was in treaty for having it for my life. I have been reading about a former possessor of it—Prideaux, Attorney-general during the Civil Wars—an extortioner. In the course of five years I was there, I did not lay out more than £100 on the house and gardens, though I built walls, planted trees, repaired old walks, cut new ones; found a desert, and left a flower-garden. The works I wrote at Ford Abbey were, 'Not Paul,' 'Papers on Logic,' and 'Church of Englandism.'

Bentham frequently drew little sketches of the persons he recollected in his childhood.

"My great-aunt died at above the age of eighty. She dispossessed herself of the greatest part of her property to give to her son, who behaved to her badly and coarsely. Whenever I saw her, she gave me a guinea, even after I grew to man's estate, and then apologised, and hoped I should not be offended, saying, 'It is a habit, you know.' She was, like all the females of my family, amiable, kind-

hearted, generous. Her time was passed in knitting stockings for the poor. She always wore the same simple garb of gray stuff, perhaps with some small mixture of silk. When once I asked her for a token of her remembrance, she knit me a pair of garters, so thick and coarse that they swelled out my small-clothes most inconveniently. The death of my mother almost broke her heart. Her son was an unbeliever; he knew not why. Then he became a Methodist; and, last of all, a member of the New Jerusalem church, and with about equal reason.

"There were my two uncles, the Rays; both of them parsons; one of them learned, the other unlearned; one never looked into a book, the other was fond of books, but less so than of horses, (of which he kept many,) and of syllabubs, of which his wife was an admirable creator. He trusted his horses to me, and I sometimes went on one of them to visit an honest attorney, one Tom Martin, who was so fond of spending his money on antiquities, that he was always pulling the devil by the tail. I was a welcome visitor. He had, among other things, a book of songs, which had belonged to Mary Queen of Scots. Finding him distressed for cash, I put him in the hands of another honest Tom—Payne the bookseller—who was delighted to buy some of his literary treasures."

On the whole, Bentham's boyhood was far from an unhappy one. His mind resisted that bent which his father and his father's family sought to give it. He had little relish for those objects which were pointed out to him as specially deserving his care, and met with no individual in early life whom he could at the same time love for generous affections, and honour for mental superiority. Yet he gathered up many enjoyments from the many sources of enjoyment which opened upon his susceptible mind; and, in spite of every drawback, the tenor of his existence, from first to last, was in the broad way of felicity. It was, however, principally in the latter portion of his life that his felicity was almost untroubled. The many discomforts of the early half of his existence were often contrasted by him with the quiet and habitual

pleasures of his later years. Even after he had become known as an author, a sense of his own insignificance pursued him. "I have done nothing," he often said; "but I could do something—I am of some value—there are materials in me, if anybody would but find it out. As it is, I am ashamed of an unrecognised existence. I feel like a cat or a dog that is used to be beaten by everybody it meets."

He was accustomed, from his earliest years, to be talked of and to as a prodigy; and if this estimate of him had been wisely used to awaken his ambition, and excite his powers, it might have produced no undesirable result on his timid and retiring spirit. But he was taught scorn and contempt for other boys. He was perpetually placed in a sort of estrangement, by hearing his companions treated as dunces; and thus his vanity and pride received constant fuel.

Bentham had a strong affection for his mother: she died in 1759, and everything exhibits her in the character of a kind

and amiable woman. Bentham was used to say that his family was distinguished by virtues on the female side. His father was exceedingly attached to his wife, and was so affected by her death, that it seemed likely to cause his own. I find the following entry in his memorandum book:—"1759, January 6.—This day died my most dearly beloved wife, and one of the best of women, Alicia Bentham, with whom I had lived in a constant and uninterrupted state of nuptial happiness thirteen years, three months, and three days, except the grief and affliction which her last illness occasioned to me." Bentham himself had a most gloomy recollection of the event. His father then lived in a large and darksome house in Crutched Friars; and its solitary and deserted look accorded with the impressions left by his mother's absence. He fancied his father would die too; but change of air, and of scene, and the kindness of friends whom he went to visit in the country, restored him to health.

CHAPTER II.

SCHOOL AND COLLEGE, 1754–1763.

ÆT. 6–15.

Reminiscences of Westminster School: Dr Markham.—Cotton.—Schoolboys' Stories, and their Influence on Bentham's Mind.—Visit to Duke of Leeds.—Acquirements in French.—The Fagging System.—Mitford.—Bentham senior and the Scriveners' Company.—Progress in Greek and Latin.—Autobiography of Constantia Philips.—Entrance at Oxford.—The Oaths: Love of Truth.—Jefferson his Tutor.—Dr Bentham.—Dr Burton.—Competition for a Presentation.—Hell-fire Club.—Concerts.—Reminiscences of his Habits and Companions at Oxford: Poore: Harris: Horsley.—Ode on the Accession of George III.: Dr Johnson's Commendation.—Reminiscences and Anecdotes of his Feelings as to Loyalty.—A College Declamation.—College Anecdotes.—Macaroni Verses.—Degree of Bachelor of Arts.

BENTHAM'S father had thoughts of entering him at Merchant Tailors' School, and with that view had taught him Lily's Grammar. The manner in which he was to be educated was frequently discussed, and his father often embarrassed him by attempts to make an exhibition of the boy's talents. On one occasion, when dining at Dr Markham's house, there was a conversation as to what "genius" meant. It was vague enough, as such discussions generally are; but Bentham was called upon, by his father and the rest of the company, to tell them *his* notions of

genius. "A pretty question to ask poor, raw, timid boy!" said Bentham to me, when he told the story; "a boy who knew no more about it than he knew of the inside of a man. I looked foolish and humbled, and said nothing; but Dr Markham was a shallow fellow, and Mr Cox, who was there, was a shallow fellow;—they were satisfied with Latin and Greek." It was, however, the intimacy existing between his father, Dr Markham, and Mr Cox, that decided Bentham's going to Westminster School in 1755. Mr Cox was father of the Master in Chan-

cery. He then lived in a large house in Chancery Lane, having an entrance also from Southampton Buildings. There it was that Bentham's first conference with Dr Markham took place. "It was," he said, "an awful meeting—with three reverend doctors of divinity at once, in a large room, to whom a trembling lad was introduced, who had been talked of as a prodigy."*

The discussion about "genius" sadly puzzled Bentham. He was then between six and seven years old. He heard his father give a definition of "genius," after long fumbling in his mind, and the definition left the subject darker than before. Bentham has more than once told me, that on this, as on many other occasions, his father's attempts to show him off led to extreme embarrassment and inward distress. He had no fancy to have his "uncommon promise" thus drawn upon; and felt, naturally enough, like a scholar who, on some momentous occasion, when all eyes are fixed upon him, is discovered not to have learned his lesson, and is, in consequence, delivered over to disgrace. The question, "What is genius?" haunted young Bentham for many years. No distinct conception could be attached to it; but, at the age of twenty, Helvetius' book, *De l'Esprit*, having fallen into his hands, it occurred to him that *Genius* was a noun-conjugate, derived from the verb *gigno*, of which the perfect tense was *genui*, and the sense became sufficiently indicated. Horace's line, "*Scit genius, natale*

comes qui temperat astrum," did not bring any solution of the difficulty. But, to discover that genius meant invention or production, was no small matter; and the discovery acted powerfully on Bentham's mind. "Have I a *genius* for anything? What can *I* produce?" That was the first inquiry he made of himself. Then came another: "What of all earthly pursuits is the most important?" Legislation, was the answer Helvetius gave. "Have I a *genius* for legislation?" Again and again was the question put to himself. He turned it over in his thoughts: he sought every symptom he could discover in his natural disposition or acquired habits. "And have I indeed a *genius* for legislation? I gave myself the answer, fearfully and tremblingly—Yes!"

I have noted this circumstance down almost in Bentham's words, as illustrating the fact, that the pursuits of a life may be influenced by a word dropped carelessly from another person. Many, no doubt, there are who can trace, as I am able to trace, to a single phrase or suggestion, the shifting of the whole mental tendencies. A solitary maxim has sometimes given a different colouring to a long train of thoughts, feelings, and actions.

"A circumstance," to use Bentham's words, in 1827, "which had much to do with the formation of my character was this. I had been a short time, being then about eight years old, at Westminster School, boarding with Mrs Morell. The house contained quite as many boarders as it could conveniently hold. It was a large rumbling edifice, such as I have never seen elsewhere. There was a sort of irregular central spot, with *processes*, in the anatomical sense, issuing from it in various directions. Some of the rooms were occupied singly by boys belonging to aristocratical families; who, of course, paid in proportion. One was the son of the then Duke of Portland, named Edward, who occupied as many as two, if not three, rooms. In the room in which I lodged there were three beds. One of these I shared with different bedfellows; who, in the course of a dozen months, were changed perhaps half as many times. This bed was

* What follows is a specimen of Bentham's Latinity, written when he was eight years old:—

"Nemo mortalium omnibus horis sapit."

Non spatio ætatis sapiat mortalis in omni;
Unquam evitari nec sibi culpa potest.
Contra naturam est mortalem evadere culpam,
Qui culpis multis esset homo genitus.
Ipse Dei David peccavit faustus amore;
Dicto præcellens filius et Solomon.
Principiis, Hominem sibi fecit imagine Numen:
Regnaret miti quod fera cuncta manû,
Decipiens sed adest mox serpens; seditiosa
Damnatus linguâ causat et ille malum
Deinde malo crescente antiquâ aborigine Patrum,
A Domino fluctus prodigiosus adest.
Horrida tunc madidam occultârunt Æquora terram;
Tunc homines, vasto et cuncta perire freto.
Parvi Tyronis subjectum hæc carmina monstrant
Crescant culparum carmina quæ numero.

Septembris, Die 17^o Anno Di. 1756.

on the one side of two windows, between which was stationed a bureau, belonging to one of us; and on the other side of the farthest window was another bed, occupied by two boys, who were from two to four years older than I. One of them was named Mitford, and may, for aught I know, be still living (1827.) Not long ago, I remember meeting him in St James' Park; I on foot, as usual; he on horseback. He was the son of an opulent country gentleman; I believe of Suffolk: but having lived rather too fast, both for pocket and constitution, he was glad to accept an office as one of the four chief clerks of the Treasury; in which capacity I often saw him; and he was of considerable use to me in my Panopticon discussions. His bedfellow was a boy of the name of Cotton; one of the Cottons of Cheshire. Not many years since, I heard of his being alive, in the character of a reverend divine, clothed in one of the rich sinecures to which his lineage gave him so incontestable a title. I had not been long at school, stationed in that same chamber, when, having stood out for the foundation, and obtained admission to it, he became an occasional visiter, sometimes for days together, at the boarding-house, where he had formerly lived, and resumed his former situation of bedfellow to Mitford. While I was lying in bed, I heard from his mouth, stories which excited the liveliest interest in my mind; stories of his own invention; but in which the heroes and heroines were models of kindness and beneficence. They exhibited the quality to which I afterwards gave the name of effective benevolence; and I became enamoured of that virtue. I remember forming solemn resolutions, that if ever I possessed the means, I would be an example of that excellence, which appeared so attractive to me. I lost sight of my unconscious instructor in after life: but in my controversies with government on the Panopticon project, I was thrown into contact with a brother of that Cotton; and Mitford was stationed in the very next seat to him. Thus I found two very important and influential friends; to whom afterwards was added a third, Mr Ramus,

whose father had occupied some office about the king's person—the Billy Ramus, I believe, of 'Peter Pindar'—he himself one of the heroes of the autobiography of Mrs Baddeley. When I was doomed to continual solicitations at the foot of Mr Long, then Master of the Ceremonies at the Treasury Chambers, I bethought myself one day of drawing up, as a last expedient, a letter on the subject of my petition. I showed it to Mr Ramus, asking him to advise whether I might venture to present such an instrument, and whether the letter I had written would answer the purpose. It was not twenty lines, and the request was simple enough: but I used in the letter a phrase I had met with, 'for the information of their Lordships.' He expressed himself 'enraptured' with the formula. He mentioned it to other parties at the Treasury, as evidence of transcendent talent and aptitude for business. I never have been so lauded for great things as for this very little thing; and, in truth, it has often been my lot, when my mind has been stretched to accomplish the most important objects on the most important occasions, to have had less encouragement and praise than for some trifling or almost useless performance. I recollect once, when a question was referred to me, which found me in a state of the most alarming ignorance, I contrived, by a mixture of industry and good fortune, to obtain the reputation of extraordinary learning and knowledge: but a great reputation may be reared on a very narrow foundation."

I give, in Bentham's words, some more of his Westminster School reminiscences:—"The Mr Cox who has been mentioned, was deemed a sort of a wit. Dr Markham was preceptor to the king; became Bishop of Chester; and afterwards Archbishop of York. He was concerned with Cox, and with a man of the name of Salter, a master of the Charter-house, in the erection of the square in Dean's Yard, which was intended for the parents of those children who wished to send their sons to Westminster School. But they found no tenants, except one woman, who was an aunt of Gibbon the

historian. There was considerable opposition to the building of this square, especially on the part of Prebendary Wilson, who was a sort of popular preacher. He took to 'Wilkes and Liberty,' and delivered anti-loyal sermons. My father was a member of the Anti-squarian Society; and I, for a pun, was accustomed to call Mr Wilson the *Anti-squarian*. The anti-squarians were right—the scheme failed; and, when half-a-dozen houses were built, no new funds were forthcoming, and the houses were either pulled down or were left to decay. The consequence was, that most of the loss fell upon Cox, who himself lived in considerable state. Somehow or other, he was in debt to my father, and my father pressed hard upon him, and he complained of my father's harshness; a harshness caused perhaps by his not receiving the money on application. But my father would say to me that Cox was a generous man, and that it was strange he did not make the accustomed present when he was selected as godfather to my brother Sam. Alas! I was perhaps the cause of my father's severity; an innocent embezzlement of mine might have given occasion to it. I was probably the source of much suffering to this poor Cox; and very, very wretched was I from the thought. If I was involuntarily the instrument of pain to him, how much of anxiety and distress did he unintentionally inflict upon me! It lasted for years; and the memory of it, with all its circumstances, is still vivid in my mind. It was in the year 1757, when I had been about a year and a half at Westminster School, that the circumstance happened. It was at my brother's baptism; and Mr Cox dined with my father. I was standing on the other side of the staircase, when he put a piece of paper into my hand with five guineas in it, saying—'Give this to your mother; she will know what to do with it.' At Westminster School, I had often heard of the money possessed and spent by the boys. Such money was called 'a tip'; and many a tip had they, but never a tip had I. My father had once given me 4s. 6d., of which I had spent a shilling, and another boy extorted the

rest from me. It came to my father's knowledge. 'It was no use,' said he, coldly, 'to give me money.' He might have safely given me a weekly allowance. I was made very uncomfortable, and thought the five guineas were a 'tip' for me. I put them into my pocket, and went on spending them, still frightened at what I was doing. I thought there would never be an end of my five guineas; so, as I was fond of chocolate, I ordered a large mess of it; and, having no room to myself, sought a retired place to enjoy it; and the place I fixed on was a staircase leading to a solitary apartment. I was dreadfully afraid inquiries would be made about my chocolate. I was seen by a head boy, a sort of patron of mine, who asked me 'if I had got a tip?' I was exceedingly anxious not to utter a falsehood, and I said, 'five—five.' He thought it was five shillings; and I had a momentary satisfaction in having avoided splitting upon that rock. I gave some money to a servant. How was I haunted with the dread of being discovered; for, had my father found me out, I should have died with shame and vexation; it being like the sword of Damocles over me, in the shape of terror and remorse. My mind was full of thoughtful struggles, partly with a sense of guilt, partly a conviction of innocence. The money was clearly meant for me; and what did I see in the school? The utmost prosperity on the part of the boys; the utmost destitution on mine. Then came the dread and distress at being the cause of my father's resentment towards one who had been so generous to me. Time did not remove the pain; I could not, even after I grew up to manhood, have confessed it to my father, so fond was he of invective; and very long did my disquiet remain unsubdued."

This incident is a striking illustration of the almost morbid sensibility of Bentham's temperament. Often have I heard him speak of this event. It was a case in which he could not obtain the acquittal of his conscience; and once he said to me—"The recollection of that money was like 'the worm that never dieth,' within me."

Bentham remembered, with extraordinary accuracy, almost every boy and every event connected with Westminster School. It would be too much to give all the details which I have heard from his lips, but I will give an example or two.

"Westminster School was a wretched place for instruction. I remember a boy of the name of Moysey; he was a great scholar, and famous in the school; every eye was turned upon him; yet he turned out good for nothing. A great reputation at Westminster was quite compatible with worthlessness. There was one dull boy, Hammond, who became a member of the College of Cursitors. There was a son of the Stevens who wrote about Shakspeare; and one Selby, a marvellously stupid chap, who talked of nothing but hounds and horses; he was very like one of the devils calling out for water, in a picture of the Last Judgment. All his conversation was to utter *yoix, yoix*. I was the least boy in the school but one, who was, I believe, a descendant of the Dearings, of the Civil Wars; and the bigger lads took a pleasure in pitting us one against another.

"There was one boy (Hindman) remarkable for strength: he could hold a heavy kitchen poker at arm's length for half an hour; he became afterwards a tenant at Browning Hill, but was so thoughtless and extravagant, that he could not pay his rent. He left the farm, and returned to it once as a beggar.

"Our great glory was Dr Markham; he was a tall, portly man, and 'high he held his head.' He married a Dutch woman, who brought him a considerable fortune. He had a large quantity of classical knowledge. His business was rather in courting the great than in attending to the school. Any excuse served his purpose for deserting his post. He had a great deal of pomp, especially when he lifted his hand, waved it, and repeated Latin verses. If the boys performed their tasks well, it was well; if ill, it was not the less well. Westwood prodigiously in awe of him; indeed, he was an object of adoration. He published a flaming Tory sermon, which was much animadverted on in its day. Though

Dr Markham never took cognizance of the lower school, yet my father was in the habit of settling the accounts with him, for the purpose of obtaining what he called his 'auspices.'*

"The higher school was divided from the lower by a bar, and it was one of our pastimes to get the cook to throw a pancake over it."

Bentham was entered in the upper second form; beneath him were the under first, the upper first, and the petty. It was then the rule to place the new-comer under another boy, to whose fortunes he was attached; and they were called substance and shadow. Bentham's substance was a lad of the name of Fakenham, of the family of the Longfords, in Ireland. When he left, Bentham became substance, and had for his shadow, Shipley, who afterwards took orders, and became Dean and Bishop of St Asaph's.

* To Dr Markham, Bentham addressed the following ode. He was then somewhat more than ten years old:—

Reverendo doctissimo dilectissimoque Viro,
GULIELMO MARKHAM, D.D.
Scholæ Westmonasteriensis Archididascalo.

Hanc Oden
Humillime dedicat
Unus ex Alumnis
JEREMIAS BENTHAM,
12^o die Sept^{ris} 1759.

Jam flatu rapidus spirat idoneo
Eurus, cujus ope freta, secans mare
Te Markame, carinâ
(Felix navigium nimis)
Sacrum portat onus; tu cupientibus
Nobis gaudia dans denique jam redis,
Nec nos vota precesque
Fallunt, ut redeas cito.
Regressum haud faciles ne impedian tuum
Venti, Auster, Boreasve aut Zephyrus levis,
Sed forti haud nimis aurâ
Eurus spirat agens ratem.
Vos servate Scholæ Diique scientiam,
Pacetis nisi nam vos rabiem maris
Donetisque redire,
Quando ullum inveniet parem,
Segnes ad studium seu pueros suum
Hortatur, monitis haud minitantibus,
Sive hos colligit unâ
Flaccum aut Virgilium explicans.
Doctâ quæque manu pagina vertitur,
Nec tractari ab eo Mæonides negat
Tunc classisque quiescit,
Omni negligere et pudet.
Irati paveat quis rabidam manum?
Non nota est ab eo dura severitas
Invisusque Magister
Illo semper abest procul.

“Two sons of the Duke of Leeds—namely, the Marquis of Carmarthen, and Lord Francis Osborn, were among the Westminster scholars. The duke came once or twice to see them: the duchess came more frequently. She was the sister of the Duchess of Newcastle, whose husband was that foolish and ignorant duke who was the Minister, and who spent a large fortune in gross eating and drinking, and said he did so for the good of his country, and in the service of his majesty. One day, as the Duchess of Leeds was traversing the play-ground where I was amusing myself with other boys—one little boy amongst many great ones—the duchess called me to her, and said—“Little Bentham! you know who I am.” I had no notion she was a great lady, and answered—“No, madam, no! I have not that honour.” I found that some strange tale had been told of my precocity, and my answer was thought very felicitous; and, not long afterwards, I was invited to go home with her sons to the duke’s. I was full of ambition; accustomed to hear myself puffed and praised; and my father was always dining into my ears the necessity of pushing myself forward—so he hailed this visit as the making of my fortune. A short time before dinner, I was summoned up stairs to the duke’s apartment, where was a physician, to whom he said:—

““This is Bentham—a little philosopher.”

““A philosopher!” said the doctor; ‘Can you screw your head off and on?’

““No, sir!” said I.

““Oh, then, you are no philosopher.”

“Earl Godolphin, I remember, came in. I believe he had been in office in Queen Anne’s time. He was a thin, spindle-shanked man; very old. At dinner, my attention was excited by a Mr Trimmer, an humble dependant of the family, who sat at the bottom of the table, and wore gold lace like the rest; for everybody wore gold lace then: but narrow was the gold lace worn by Mr Trimmer. At parting, he put a guinea into my hand. I was to tell the story when I went home. I told the story of the guinea; and the guinea was taken

from me for my pains. Many times I dined there afterwards, and always got my guinea; and always told the story; and always lost my guinea on getting home. I was not indulged with the spending of any of my guineas, though I was indulged with a sight of them, and with being allowed to count them, which my father thought was a better thing; but I thought that what was mine was mine; and once I stole a guinea. They counted those that were left; the theft was discovered; I was in prodigious disgrace and ready to sink into the earth. My cousin Mulford interceded for me; and, in process of time, my iniquity was forgotten.”

Bentham’s father had a great desire that his son should excel in accomplishments. At seven years old, he was taught to dance, which was a serious punishment to him; for he was so weak that he could not support himself on tip-toes. Attempt upon attempt was made by his father to force the feeble boy to go through the dancing exercise; but the ligaments which join the patella were so weak, that they could scarcely sustain the body. In later years, the ossification of age overgrew the infirmity. I have often heard Bentham say he was the feeblest of feeble boys; but, sensible of his defects, he supplied them by thought and care, and no one was more alert or active than he. His adroitness served for strength: and physical infirmity was counteracted by intellectual activity. He played at marbles with his thumbnail instead of his knuckle; and was a very tolerable fiddler, by the dexterity of his arm, though he wielded the bow with difficulty. It was yet more difficult for him to manage a small gun, with which he was supplied by his father, in order to learn the military exercise. The gun was called little and light; but Bentham found it large and heavy. There was a corporal in the Guards, whose name was Maclean, and who was Bentham’s preceptor.

Bentham’s father found him one day ornamenting capital letters; so he insisted he should learn drawing. He had no taste for it; and his father provided him with a most incompetent mas-

ter, who knew nothing of the rationale of the art. Practice had enabled him to make tolerable trees; but Bentham found his master's trees intolerable—not like trees at all; and his master could find no words to explain the laws of perspective, or the powers of light and shade. Bentham told his father that he should not break the commandment, which prohibited the making “the likeness of anything in the heavens above or the earth beneath.” When he sought to learn the laws of optics, his master was wholly unable to explain them. He was a boy inquiring into the reason of everything; and his master could give him no reasons at all. He wrote remarkably well, and was accustomed to hear himself quoted as a specimen of what a boy might do, in “running hand,” “text,” “round text,” and so forth; but his merits in this particular were, he thought, considerably *embellished*.

Of music he was always fond. It was associated with his early recollections and enjoyments. He played Corelli's sonatas when he was very young; and, to the end of his days, the music of Handel was delightful to him. Indeed, of harmony he had an exquisite sense. “I hate the coarse unfeeling style of music. In playing I was afraid of a keyed instrument: If I touched a false note by accident, I was forced to play the true one. I composed a solo for the fiddle. I never had patience to study thorough base—its technicalities are so repulsive, like the *a's* and *y's* in algebra.”

At Westminster School Bentham obtained considerable reputation for Latin and Greek verses. He often prepared them for his aristocratic companions.*

* These are specimens which I find in his handwriting:—

ULTIMUM JUDICIUM.

Jam prope tempus adest, Domini quo Filius alto
A cælo veniet magno splendore nitescens,
Terribilis visu, liquidumque per aëra volans,
Ejus ad adventum montes dare terga videntur;
Perficiunt in se concussæ fulmina nubes
Cernitur haud ullo sua pristina forma teneri.
Tunc adventuros accerset Buccina cunctos
Omni à parte orbis, tunc immensa Æquora reddent
Defunctos, Domino justo responsa datuos
De factis quæ fecerunt dum vita manebat.
Perfundunt Pauci grates, quod Numina tantum
Donum ferre sinent illis, magnoque favore

But he was much oppressed by the other boys. There was, however, one boy at Westminster, who played the part of protector to Bentham, and of whom

Quomodo mandatum docuere implere piisque
Quod donaverunt esse illis gaudia tanta.
Nec tamen his dignus terror deest, sed quatit artus
Attonitos, ambas palmasque ad sidera tollunt.
At contrà Injusti concussi territa membra
Pallentes, dignas ob crimina plurima pœnas
Iratumque Deum metuunt: tunc fata dolentes
Dura, exoptabunt non offendisse Magistrum
Olim clementem nimium, sed denique justum.
Tunc frustra optabunt non erravisse nefandi
A calle angusto veri, semperque benignum
Se coluisse Deum, memorabunt tanta bonorum
Gaudia, sed magnam dant ipsa ob gaudia pœnam.
Cum Christus Domini soboles tunc judicat illos
Dividit injustos æquè, justosque vocatos;
Hos locat ad dextram, lævam illi jure capessunt,
Ut pastor tenerâ fidelis ab ove capellam
Secernit, secretasque æque ex ordine ponit.
Excipiunt justi Domini jam dona benigni
Cum quæ fecerunt, dum vivi, facta rogantur,
Æqui sunt illis animi, nec Tartara terrent;
Certi sunt fecisse bonum; nam semper egenum
Quem læsere mali, magnâ bonitate juvant.
Sive ægrotantem cognorant esse sodalem,
Morbum dempserunt verbis solantibus ægri.
Illi dum justo concussi membra timore,
Jam flammam et menti patiuntur Tartara nigra.
Commemorant fecisse malum; nec verba reclusas
Sesivisse aures, Domini penetrare; nec esse
Solatos inopem, contrà at fecisse dolorem.
Tunc Justis Verba hæc Dominus solantia dicet,
Qui bene fecistis, Patris penetralia nostri
Vos intrate; locum quo non terit atra rubigo,
Nec fur injustam possit supponere dextram.
Par Nox atque Dies fulget, nec Luna ministrat
Lumina, nec Phœbus fulgentes porriget ignes,
Illic libenter capiunt data gaudia Justi,
Gaudia perpetuum non interitura per ævum.
Non alimenti illic illis est Cura, sed omnes
Cum Sanctis Domino conclamant nocte dieque.
Injusti contrà meritis dant carcere pœnas
Inferno in mediis flammis, et corpora tosti
Dæmones semper cruciant, simulacraque mentes
Horrida conterrent pavidas, nec Vermis in ullis
Emoritur seclis, æternus at æstuat ignis;
Summaque attollunt scelerata ad sidera cœli,
Non se inter Justos numeratos esse dolentes.
Tunc stulti memorant Domini quam gaudia nol-
lent

Nec vellent pro vero injustum linquere callem.
Concutiunt in se dentes, melioraque multa
Ventura expectant, miserosve relinquere pœnam.

JEREMIE BENTHAMI Scholæ

Westmonester alumni, fact. 31^o Augt. 1757, apud
Baghurst, in Comitatu Southtoñ, anno ætatis
sux decimo.

AD MARCHIONEM CAERMARTHEN A MORBILLIS NUPER REDDITUM.

Jam schola lætetur, jamque Urbs lætetur et ipsa,
Utraque diversis fit benedicta modis,
Altera, præsidium quod Patronusque futurus
Altera quod rursus Gloria magna datur.
Jam tenuère illum tristis contagia morbi,

Bentham always spoke with much affection. He was of a high family, and talked to Bentham of his descent. Bentham and he had conceived a sort of aversion to each other, which lasted for some time; one day, they mutually confessed their dislike, and each finding the other blameless, they became intimate, and wondered at their former alienation. They used to play at battledore together, and Bentham told me they had once kept up the shuttlecock 2730 times. So accurate was his memory of the most trifling occurrences of his boyhood.

"I recollect the very spot now," he

Per niveam expansa est pestis acerba cutem.
Quod neque carorum multum anxia cura Parentum
Ipsius potuit nec prohibere malum.
Jam timor expansus pretiosæ est undique vitæ.
Grata haud perque Scholam fama vagata fuit.
Jam tristes vultus ceperunt esse, tuumque
Nomen Discipulis semper in ore fuit.
Omnes cognati multum cœpere vereri
Ne talem perdant jam puerumque tui
Quisnam præ tali haud potuit bonitate vereri
Corpore cui tanta est Gratia, et ore decor?
Ætatem cui præter inest sapientia talis,
Cui Matris pietas, tanta, Patrisque sui est.
Sed quid multa loquor? mirum est, ni Stirpe creatus
E tantâ, simili sit bonitate Puer: [omne
Namque bonum Exemplar Documentum exsuperat
Hæc ambo est unus continet ille simul.
Ergo jam merito multum Schola tota gavisæ est
A morbo postquam gloria nostra redit.
Noster amice, hujus si das mihi nominis usum
Accipe Versiculos, aure favente, meos,
Nec malè quod feci spernas; me semper adessee
Sollicitum credas proque salute tua.

DEANS YARD. December, 1758.

PII VATES, ET PHEBO DIGNA LOCUTI.

Dialogus.—MARCUS, LÆLIUS.

Læl.—Dic mihi, Marce, precor, vates quos Anglia jactat

Esse suos, quo quisque modo dignatur honore:
Nam mihi noscendi studium est, et maximus ardor.

Mar.—Haud equidem renuo, quoniam tam digna Cupido est.

Maximus ante alios primo dignandus honore est
Miltonus, quo cum nullus certare poeta
Audet adhuc; etiam ipse Maro huic, et cedit Homerus.

Læl.—Hunc equidem legi: Majestas omnis Homeri

Huic est, ut reputo, et jucundia nota Maronis.

Mar.—Proximus huic nullus, supra omnes solus habetur.

Diversi certant vates: et maxima laus est,
Carminè cuique suo; horum pater exstat et autor
Chaucerus, docuit qui ignaros ante modorum
Primus, et Angliacam modulavit carmine Musam.
Huic placuit fabella levis, versusque jocosus,
Huic risus grati placuere, et dulcia vina.
Præcipuè et parili florebat Carminè Gayus
Fabellis clarus: non attamen ille jocosos
Solum compegit versus; sed et hisce, Satyris

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said to me, not long before he died. "I was then in my dwarfish state; but most of the scenes of my joys and sorrows have been swept away."

Of other early amusements he thus spoke—

"Fishing is an abominable sport: waste of time associated with cruelty. Yet I fished; I wanted new ideas, and new associations and excitements.

"I was member of a cricket club, of which Historian Mitford was the hero. I was a dwarf, and too weak to enjoy it. When sixteen, I grew a head."

In youth, Bentham accustomed him-

Æquum laudavit, vitioque opprobria fixit.
Haud modò sit neglecta mihi laus summa Drydeni
Tam multis vulgata, Maro cui debuit ipse
Grates; et summos peperit cui laurus honores.
Tu quoque semper eris, multo dignandus honore
Cowleye—Anglicolis etenim tu Pindarus, et tu
Flaccus, tuque Maroes; quoniam complecteris in te
Ingenium cujusque; tua et clarissima laus est.

Læl.—Ne tamen ingenium Butleri; et fortia facta
Prætereas Hudibratis, et ejus dicta Radolphi
Doctiloqui—

Mar.—Haud equidem cum legi, Lælie, multo
Crede mihi à risu potui divellere buccas.

Læl.—Nonne autem quidam tragice comicè ve
[micarunt?

Mar.—Immo permulti: tres autem, ut sidera,
clari

Ante alios splendent; quis enim Shakspeare re-
cuset,

Inspiciens nisi sit, meritas tibi solvere laudes?
Majestas tua quanta patet, quanta ingenii vis.
Imprimis etiam comædicus auctor habetur
Jonsonus, sed non nunc temporis ejus, ut olim
Fabula concipitur, verum reverentia magnæ
Doctrinæ, in scenis operum sustentat honorem.
Nec cum Spencero quisquam certare poeta
Ausus erat: Multum Angliacæ quoque debuit illi
Simplicitas linguæ: juvat hunc et scena theatri.

5^o die Junii, 1760.

Sta pes, sta, peto, pes, peto sta pes, sta, peto, mî pes.

Ἰσταβί, ὦ μου ποῦς, συ μὲν εὐχόμεαι, Ἰσταβί, μου ποῦς.

20th January, 1759.

VELIS ID QUOD POSSIS.

Non facere ipse queo Tetrasticha; Disticha possum,
Accipe quod possum, quod nequeo, sileat.

May, 1759.

Κρεῖστον οφειλοµινον.

Κεῖται ὑπο νουσου Τελαµων πολυπενθεος ἡδη

Προσκαλῆει ἡ ἀνάστον πολλὸν ὀδυρόµενος.

Ἄυτον ἰκεῖ θάνατος δ' ὅτε δὲ βλεῖπει ὤµον ἀνακτα

Αἰψά λεγεί εἶναι κρεῖστον ὀφειλόμενον.

Eodem temp.

Retrahit à mundo gradibus Sol lumina lentis,
Fœmineo à vultu sic paulatimque Venustus;
Lumina Sol splendore cito reditura recenti,
Quando abeat semel hæc redeundi spes abit una.

2d June, 1759.

D

self to write in French, and he wrote with greater facility than in English. He was not embarrassed by the choice of words. His want of a thorough acquaintance with the language he felt to be an advantage, as no difficulties presented themselves in the phraseology. He wrote boldly on; while in English, he was stopping to weigh the value of words, and thus soon got embarrassed. The scrupulousness of his phraseology will in future times be one of the great recommendations of his style.

The fagging system was in full operation when Bentham was at Westminster School. He often spoke of its tyranny and cruelty, of its caprices and its injustice, with strongly excited feelings. "It was," he said, "a horrid despotism." The little boys of the schools were subjected to all sorts of intolerant treatment; they were sent to great distances whether with messages or not. In different departments of the school, the fagging system was different; in some it was more, in some it was less, oppressive; but oppression was everywhere.

Of the instruction, discipline, and usages of Westminster School, Bentham always spoke with reprobation. They were taught few useful and many useless things. The teachers were distinguished by their aptitude for some one or other trifle which was valueless. One man, the son of a tapster, and thence called Tappy Lloyd, was wholly occupied in teaching prosody; "a miserable invention," said Bentham, "for consuming time." Then Archbishop Williams' Comments on the Catechism was another school-book which they were called on to study, and learn by heart. When there was a jingle of verses, Bentham got on very well, but he dreaded the sight and abhorred the labour of committing to memory what he thought was dull and stupid prose; but he learned it to avoid shame or punishment. "I never," he one day repeated to me, "felt the touch of the rod at school—never—never. What the pain of being punished was, I never knew. My brothers and sisters were sometimes chastised by my grandmother; but I had no such experience."

There were, in Westminster School, masters who were perfect sinecurists. They were paid fees for doing nothing; and Bentham's impression generally was, that the higher their rank, the less their efficiency. Bentham's father sometimes rewarded his attention to his studies by escorting him to the inns and coffee-houses which he was in the habit of visiting. Many such little episodes in Bentham's history he was fond of narrating; as, for example:—

"When I was at Westminster, my father took me with him to the Rainbow Coffee-house. There it was that the *quality* of the Scriveners' Company mustered. The place was kept by one Jerry Hargreaves, and many were the jokes about him and the other Jerrys. In one corner of the coffee-room sat a Mr Wilcock, a prodigious favourite of mine, for he used to sing, to my ecstatic delight, 'Four and Twenty Fiddlers all in a Row.' He was a shrewd Scotsman withal, and in the Court of Assistants of the Scriveners' Company. He never failed to be present at all feasts and festivals, and especially at the dinner of the 29th July, to which I was sometimes invited. There I saw my father work the miracle of whisking away three bottles of indifferent and watery port, and replacing them by costly hock, which he did not allow to circulate beyond the three persons who, with himself, sat at the end of the table. I heard the fifth man grumble; but the aristocracy cared not for his grumbling. It was one of my father's master-strokes of generalship. Under the plea of catering for the many at the great dinner, the privileged few, among whom my father was, always managed to get for themselves an initiatory—a little dinner; and the Scriveners' Company paid for both. I remember when they got to turtle dinners; and the next step was to send home turtle to their wives."

One of the visits which his father and he paid to White Conduit House in 1758, Bentham thus described:—"It was a delightful visit. There was a circular part, with little boxes around it, where we used to drink tea, eat hot rolls, and sometimes went so far as to order a syl-

labub fresh from the cow. In those times there was an organ: but the unpaid put down the organ and suppressed the music. There was also a large tea-room, somewhat on the Panopticon plan. This was an eye-sore to the unpaid, and they shut it up. It became afterwards a Methodist meeting-house, and scenes of mourning and terror superseded the scenes of merriment and comfort."

In 1758, Bentham had made such progress in Greek and Latin, that he was able to write a letter in both languages to Dr Bentham, the Subdean of Christ Church; and I find the following inscription, copied in his father's handwriting, which probably accompanied a copy of Bossuet's "*Oraisons Funebres*."

Λογος επιταφειας

JEREMIÆ BENTHAM

Optimæ Spei Puero decenni

Ob eximios ingenij et industriæ fructus

In certamine literario Westmonaster

Cal. Maij 1758 exhibitos

EDV. BENTHAM

Ædis X^{ti} Oxon. Sub Dec.

Munusculum hoc

L. M. D.

Bentham preferred Greek to Latin; as the Greek expletives always came to his aid when he was writing verses. In attempting English verse, he said he could only find two expletives to help him out of any metrical scrape, and they were O! and Sir!

To a circumstance occurring at this period, I find the following reference among Bentham's papers:—

"Chance threw into my hand, in the year of our Lord 1759, a precious autobiography. Author, in form Paul Whitehead, poet-laureate of that day—in substance and name the then celebrated courtesan, Teresa Constantia Philips. It was dated—one of the several editions—From the hermitage in which I have been so long hidden.

"Strong as was the first draught, which I had taken from the sweet fountain of Telemachus, still stronger was the second: taken as it was from the fountain, such as it was, which I found playing from the pen of my fair predecessor. In her

sad history, for a sad one it was, a period of gallantry was closed by marriage. The husband—a Dutch merchant, *Muilman* by name—was beset by meddling relations and friends. Broken were the barriers of his conscience. This was before the Marriage Act. Suborned by his learned assistants, a hireling swore to a prior marriage.

"Dingdong went the tocsin of the law Tossed from pillar to post was the fair penitent—from Courts Temporal to Courts Spiritual, by Blackstone called Courts Christian: and be it as it may—with Christianity in its original form, in this griping, in this screwing, in this eviscerating form—that *Christianity* (as the saying is) *is part and parcel of the law of the land* is but too true. Lengthy of course was the vibration. Particulars of it are not remembered: nor matters it that they should be. What is remembered is—that while reading and musing, the Dæmon of Chicane appeared to me in all his hideousness. What followed? I abjured his empire. I vowed war against him. My vow has been accomplished. With what effect will be acknowledged when I am no more. Gratitude to him who deserved well of mankind is never wanting, when to profit by the fruits of it is impossible."

Some months before Bentham was entered as a student at Oxford, his father took him there to witness Lord Westmoreland's installation. I have heard him say that his respect for a place was measured by its distance from London, so that the proposal to visit Oxford was a most welcome one. They had for a companion a clergyman, whose father had a post in the king's kitchen; and he supplied them with royal gingerbread for the journey, a viaticum which the young traveller then tasted for the first time. Dr Herbert Mayo had recommended that Bentham should be sent to St John's, as being celebrated for logic; but some other influence decided for Queen's.

On the 27th June, 1760, Bentham's father set out with his son to settle him in Oxford; and this is the entry in his Diary:—"June 27–28. *Aujourd'hui à midi*, set out with my friend, Mr William Brown, and my son Jeremy, from

London for Oxford. Lay at Orkney's Arms, by Maidenhead bridge. Got to Oxford at dinner, *après midi*. Entered my son a commoner at Queen's College; and he subscribed the statutes of the University in the apartment of Dr Browne, the Provost of Queen's, he being the present vice-chancellor;* and, by his recommendation, I placed my son under the care of Mr Jacob Jefferson, as his tutor—paying Mr Jefferson for caution-money, £8; entrance to Butler, &c. 10s.; matriculation, 17s. 6d.; table fees, 10s. The age of my dear son, upon his being admitted of the University this day, is twelve years, three months, and thirteen days. On the 29th, *matin à l'église* of St Mary; *après midi* dined with the vice-chancellor at his own apartments at Queen's. 30th, Dined in commons at Queen's College with Mr Jefferson and the rest of the fellows and gownsmen of the house. Paid for a commoner's gown for my son, £1:12:6. Paid for a cap and tassel, 7s. Expenses of journey to Oxford, £7:5:3."

Thus Bentham was a collegian at Oxford when only twelve years and a quar-

* The certificate of Bentham's admission I find in these words:—"Oxonia, Junii 28^{vo}, Anno Domini 1760. Quo die comperuit coram me Jeremias Bentham è Coll. Reg. Arm. fil. et subscripsit Articulis Fidei et Religionis.

"JO. BROWNE, Vice-Can."

† It is not uninteresting to know what were the books which composed Bentham's library at Oxford, and I therefore copy the following from his father's hand-writing:—

A catalogue of the books sent with Jeremy Bentham to Queen's College in Oxford, upon his going to settle there, on Friday, the 17th October, 1760.

Cicero de Finibus.	}	By Davis.
— Divinatione.		
— Academica.		
— Legibus.		
— Natura Deorum.		
— Tuscul. Disputationes.		
— de Oratore.		By Pierce.
Potter's Greek Antiquities, 2 vols.		
Ovidii Opera Omnia.		Elzevir.
Latin Version of the Psalms.		By Johnston.
Orations of Thucydides, Plato, and Lysias.		By Dr Bentham.
Hebrew Grammar.		
Euclid's Elements.		By Stone.
Elements of Arithmetic.		By Hardy.
Statutes of the University of Oxford.		
Munutius Felix.		By Davis.
Horace.	}	By Brindley.
Terence.		
Virgil.		
Juvenal.		

ter old—an extraordinary age, or youth rather, for University education; but the precocity of Bentham's talents was the cause. He was not only very young, but very short—quite a dwarf—so that he was stared at in the streets wherever he went.†

Bentham, on account of his tenderage, was not required to take the oaths; and it relieved his mind from a state of very painful doubt. Even then, the objections he felt against needless swearing were strong; and the germs of his future writings on the subject of useless oaths were present to his thoughts. His scruples of conscience were not always understood by those to whom he confessed them. Once his father led him to a place, such as he had been unused to, where he heard a person preach in an unwonted style:—

"What place is this?" inquired he.

"It is a Dissenting meeting-house," answered his father.

"What! may we go there?" was the boy's query.

Pliny. By Elzevir.
Buchanan's Psalms.
Rational Catechism.
Milton's Paradise Lost.
— Regained.

Sallust.
Anacreon.
Phædrus' Fables.
Cæsar's Commentaries. Delphin.
Æschines' and Demosthenes', Orations (Oxford edition.)
Musæ Anglicanæ, 3 vols.
Hebrew Psalter.
Manuscript Diary of ditto.
Petit's Hebrew Guide.
Essay upon General History. By Voltaire.
7 vols.
Moliere's Works. 5 vols.
Gordon's Geographical Grammar.
Greek Common Prayer and Testament, (together.)
English Common Prayer-Book.
Latin Bible.
Hebrew Lexicon.
Labbe de Pronunciatione.
Demosthenis Orationes. Greek and Latin.
Seeds of Greek Pronunciation.
Lucian's Dialogues. Greek and Latin.
Quadragesimalia.
Handel's Solos.
— Sonatas, 4 vols.
Hasse's Concertos, 3 vols.
A Slate and Pencil.
A Double Sliding Rule.
A Case of Mathematical Instruments; also,
Homer's Iliad, in Greek only.
Diary of ditto.
A Greek Lexicon. Quarto.

"We may just put our heads in," replied his father.

But the answer shocked Bentham. If it was right just to put in the head, it was right, he thought, to put in the whole body; and, if not right to put in the whole body, it was not right just to put in the head. Bentham could not understand such inconsistency, such indifferent logic. In the latest years of his life he once said to me:—

"I never told a lie. I never, in my remembrance, did what I knew to be a dishonest thing."

The distress of mind which he experienced, when called on to subscribe to the Thirty-nine Articles of the Church of England, he thus forcibly describes:

"Understanding that of such a signature the effect and sole object was the declaring, after reflection, with solemnity and upon record, that the propositions therein contained were, in my opinion, every one of them true; what seemed to me a matter of duty was, to examine them in that view, in order to see whether that were really the case. The examination was unfortunate. In some of them no meaning at all could I find; in others no meaning but one which, in my eyes, was but too plainly irreconcilable either to reason or to scripture. Communicating my distress to some of my fellow-collegiates, I found them sharers in it. Upon inquiry it was found, that among the fellows of the college there was one, to whose office it belonged, among other things, to remove all such scruples. We repaired to him with fear and trembling. His answer was cold; and the substance of it was—that it was not for uninformed youths, such as we, to presume to set up our private judgments against a public one, formed by some of the holiest as well as best and wisest men that ever lived. . . . I signed: but by the view I found myself forced to take of the whole business, such an impression was made, as will never depart from me but with life."

Jacob Jefferson, who was appointed to be Bentham's tutor, was a morose and gloomy personage, sour and repulsive—a sort of Protestant monk. His only anxiety about his pupil was, to prevent

his having any amusement. A very harmless battledore and shuttlecock, were one of the enjoyments of Bentham; but Jefferson made it a point to interrupt him, not for the purpose of calling him away to his studies, but solely to stop any pleasurable excitement. He forced him to read "Tully's Orations," all of which he knew by heart; or the Greek Testament, which he had mastered years before; so that the tasks were alike an annoyance and humiliation. Jefferson felt pleasure in mortifying others; and Bentham thought that his time was wasted without instruction. Jefferson gave or professed to give, what he called lectures on geography. This was one of his lectures—"Where is Constantinople?" and then he touched the part of the map, where Constantinople is, with a wand. Queen's College had, at this time, considerable reputation for its logic; and Bentham owned that Jefferson gave him, out of Sander-son's Logic, some materials for correct reasoning. The English logic taught was Watts', which Bentham always called "Old woman's logic." But his tutor took no trouble to ascertain what his pupils knew or knew not. He cared not whether they advanced or retrograded. The philosophy they learned was from Rowning; and they were amused by such paradoxes as that "water is as solid as a diamond." Bentham took to the study of mathematics of his own accord, and without the assistance or even the knowledge of his tutor, who was always more ready to reprove than to encourage. He graduated his animadversions thus:—"Fie for shame!" that was for the slightest misdemeanour: then followed—"Fie, fie for shame!" and then, for some higher offence—"Fie, fie, fie for shame!" increasing in solemnity of utterance. The tutor had a morose and melancholy look—very unlike another instructor of Bentham's, Dr Fothergill, who had a jolly rubicund complexion, though a very bashful man. Fothergill's conversation was pithless and insipid. In his old age he took to himself a wife; and it was the general wonderment that he had found courage to ask anybody to marry him. As Jefferson took pupils for

six guineas, and his rival, Dr Fothergill, required eight, the cheaper was selected by Bentham's father. It mattered little—the difference was only between Bævius and Mævius. The professors generally spent all their mornings in useless routine, and all their evenings in playing cards.

Having been introduced at Oxford, Bentham returned to Westminster school—but went finally to Oxford, as already mentioned, the following October.

The narrow allowance which Bentham got from his father, did not enable him to live without incurring debt at Oxford; and miserable he was when obliged to confess the fact to his father. Dr Bentham, who was the Regius Professor of Divinity, and Canon of Christ Church, was the channel through whom the communication was made; and a remittance of ten pounds was sent to relieve the student from his embarrassments. Bentham had been a candidate at Westminster School for one of the nine vacancies to the University presentation; and Dr Bentham was one of the reverend examiners. Bentham stood out the last, and the least of the boys, and succeeded in obtaining the right of admission to King's College; but he was dwarfish, and so weak, that ill-usage was apprehended; and he did not go after all. The successful candidates were clad in a solemn suit of black, and looked like old men. Bentham's appearance was most singular, and attracted great attention. He was only between nine and ten years old; as diminutive in figure as precocious in intellect; and wearing short breeches, skirted coat, and the rest of the costume of mature age. The procession passed before the dignitaries, who were seated in the hall of the school, with great formality. Among them was Dr Burton, the Jaccus Etonensis, who was supposed to be an admirable Latin scholar, and whose reputation for ancient learning made him an object of special awe. He was scarcely less distinguished as a *bon vivant*, and for a habit of mixing *quidlibet cum quolibet* on the same plate. Bentham's father applied to Dr Bentham for a studentship; but got for an answer that his patronage was en-

gaged. Afterwards, he spontaneously offered one to Bentham; who was so humbled by neglect and annoyance, and so desponding, that, after consulting his morose tutor, Mr Jefferson, he declined the favour which the Doctor proffered.*

A memorandum of his father, at about this period is curious:—"August 18, 1760.—Paid given son Jerry more than received back from him of the guinea I gave him to play a pool at quadrille."

"Oh, I remember this"—on my calling the memorandum to Bentham's attention—"This was at some aristocrat's house. I never got any money but to play at cards; and only when I won money was I allowed to keep it; so that a passion for play was likely to be excited in me. But I was cured at Oxford, where they always forced me to pay when I lost; but I never could get the money when I won: so I gave up the habit."

Among the persons to whom Bentham was introduced at Oxford, was Old-

* Latin verses written by Bentham at this period:—

TECUM HABITA.—PERS. SAT. IV. ULT. LIN.

Xantippe conjux (sic pristina fabula narrat),
Philosopho cuidam litigiosa fuit.
Hic voces patiens toleravit; nam sapiens vir
Philosophum irasci censuit esse nefas.
Frustrâ autem toleraviteam, namque improba conjux
Addidit et voces insuper atque manus.
Quid faceret; verbis pessundatus ille manuque
Pacem censebat tutius esse foris.
Hoc neque profecit; namque urinale repletum
Improba Xantippe misit in omne caput.
—Maii, 1760.

REDIT LABOR ACTUS IN ORBEM.

Ambages caudæ illatrans canis ore per omnes,
Persequitur fatuus se, refugitque simul.
O canis irascens tecum, quid inane laboras?
Quocunque et corpus, cauda sequetur adhuc.
1^o Maii, 1760.

TAM PROPÈ TAM PROCULQUE.

Nonne vides procerem sectatur ut ante sodalis
Illi lucrosus qui petat officium.
Nobilis ista; statim faciam quod quæris, amice
Non opus est precibus; quod petis ipse dabo.
Cur te nacturum speras quod quæris, inepte;
Jam tibi non nummi sunt; et egenus eris.

FAS EST ET AB HOSTE DOCERI.

Cum Rex Suessiacus crudeli fœdere junctos
Saxonie vicit Muscovique duces
His docuit bellum, infelix, ipsumque domare,
Discere namque illis fas et ab hoste fuit.
Maii, 1760.

field Bowles, a gentleman commoner of Queen's College; a proud man, who received Bentham somewhat disdainfully. He was the patron of a place where the Hell-Fire Club was held; a club somewhat characteristic of the then state of Oxford. It was a club of Unbelievers, Atheists, and Deists, who professed that, as they had a knowledge of their future destiny, it became them to prepare for it; and they used, it was said, to strip naked, and turn themselves round before a huge fire. Infidelity was certainly very rife at Oxford, and exhibited itself in forms the most offensive. The hypocrisy of the place disgusted Bentham, and he spoke of that University with asperity to the end of his days.

His father forced him to take a part in many matters which were annoying to him. He subscribed for him to the concerts, and required him to attend. "I attended," he said, "in a most melancholy state. I sat still while the music played: not a living soul had I to speak to. Unhappy while I was there, I was not less unhappy when I came away." On one occasion his father got into a long and angry dispute with a paper-hanger at Oxford, about papering Bentham's room; and it ended in his sending paper down from town. This brought upon Bentham the ill-will of the Oxford paper-hanger; who found many ways of saying and doing, and causing others to say and do, unfriendly things. The chamber which was the origin of the misunderstanding, was a very gloomy one. It looked into the churchyard, and was covered with lugubrious hangings. Bentham's fear of ghosts, and of the visitations of spiritual beings, was strong upon him; and the darkness of the chamber and its neighbourhood added to his alarms. But he was enabled to effect a change with another student, and got two guineas in addition, for his thirdings, on account of his better furniture. Once, at Oxford, going round to see the sights, his father took him into the hall at Christ Church, where the students were all assembled at dinner. He compelled the timid boy to go from the bottom to the top of the hall, to walk round the tables, and to

report whether he recognised any school-fellow. Bentham was ready to faint—to sink into the earth with agony. "O, would he but change places with me!" said the poor lad to himself; but he dared not give utterance to any such thoughts. His father thought it excellent strategy to force him into notice; and among other arrangements for that purpose, he sent him a silk gown to wear, while the other students wore gowns of stuff.

A grievous annoyance to Bentham, at Oxford, was the formal dressing of the hair. "Mine," he said, "was turned up in the shape of a kidney: a quince or a club was against the statutes; a kidney was in accordance with the statutes. I had a fellow-student whose passion it was to dress hair, and he used to employ a part of his mornings in shaping my kidney properly."

Generally speaking, the tutors and professors at Oxford offered nothing to win the affections of Bentham. Some of them were profligate; and he was shocked with their profligacy: others were morose; and their moroseness alienated him: but the greatest part of them were insipid; and he had no taste for insipidity.

Among the few persons whom he remembered with pleasure, in talking of this period of his life, was a Mr Darling, who was a curate near Andover, and whom he visited with his father. He noticed Bentham with great kindness; and Bentham, in return, applied to him one of Martial's epigrams; and, instead of the poet's hero, inserted the good clergyman's name. For this he got no little praise; and the visit was a succession of enjoyments. He showed to Bentham, among other things, a solar microscope. "That man was rooted deep," he said, "in everybody's affections; and everybody lamented that no preferment was given to so excellent a person. At last, preferment came, in the shape of the living of Wargrave, in Berkshire; and everybody felt as happy as if some individual good fortune had been conferred on them."

If the teachings of the University were not very instructive, so neither were its amusements very interesting.

Fishing was one of them. Bentham sometimes went to fish, as a relief from the weary monotony of existence. It brought some new ideas, and new occupations. At that time, a bubble on the water's surface was a variety, and had a charm; and, to catch a minnow, was an interruption to the dulness of the day. But even the fishing sports partook of the system of neglect with which all education was conducted. Generally a poacher was hired to go with a casting-net. He caught the fish; and the youths went and got it dressed at a neighbouring inn. A few practised fly-fishing, who had skill and strength. Bentham had neither the one nor the other. No living being could be thrown into a situation less congenial than his was. Once or twice he was asked to hunt and to shoot. Others killed partridges—he only killed time. He fired as often as the rest; but the flash of the gunpowder hurt his eyes. Too timid to confess his dislike to sports that were so popular, he generally found or made an excuse for refusing to join them. In his later days, he applied his utilitarian philosophy to the subject, and made the whole animal creation objects of his benevolent suggestions; insisting that their claims to be spared the unnecessary infliction of pain stands upon the same basis as the claims of man himself.

All sorts of oppressions were exercised by the older on the younger students. One day a gentleman commoner asked Bentham to sup with him; and, after a magnificent supper, waylaid him on his return home, in a narrow lane, and seriously cut his eye, walking abruptly away. For such affrays, there was neither interference nor redress.

At Oxford, there was scarcely a companion in whose society Bentham could discover any pleasure. He found the college a stupid one, and the people in it as stupid. Mitford was a gentleman commoner there—Bentham only a commoner. They were members of the same breakfast club. Bentham thought his conversation commonplace, and never expected he would become an author. He was distinguished by his good looks, and his personal strength. "I took,"

said he, "to Edward Cranmer, a descendant of Bishop Cranmer, in default of better company. But he was a noodle; and there was another noodle of the name of Archer, who, with his brother, bought a commission in the Guards, which he afterwards quitted, and became a parson. There was one Poore. At fourteen he had a strong black beard. He had obtained one of the gold medals at Winchester, for a copy of verses; and this intoxicated him. He was quite jealous if I spoke to anybody but him; when, all of a sudden, he took to another youth, and discarded me entirely. The boy's name was Bower, whose elder brother or cousin became distinguished at the Chancery bar. There was a staid, sober fellow, of the name of Burleigh. His father was a parson; and he became a parson in turn. There was Stillingfleet—a proud priest, holding his head aloft in the air. There was a man of the name of Skip, who had some cleverness and some knowledge; and, after taking a bachelor's degree, he went to Edinburgh—learnt more—returned to Oxford, and became M.A. At Edinburgh he picked up a little unbelief, which he retailed at Oxford on his return. We had Nicholls of Barbadoes, who afterwards got a rural deanery. He was a great dandy, but an ugly little fellow, who had reached man's estate. He led me, now and then, into his chambers; and there, for the first time, I saw Hume's History, which was a great treat to me. There was a gentleman commoner, who took to me a little—De Sellis, a Swiss. His chambers were underneath mine. He took in the Annual Register, which had then just appeared. I was a child; he a man; so we had few ideas in common: but the Annual Register delighted me. There was a little party that moved round Dr Smith, who knew something of chemistry, and read lectures on chemistry to a small class. I would have given one of my ears to have attended him: but that was out of the question. This little party were proud of their distinction. One of them was Wynn of Wales; and another, Bishop Bathurst, a distinguished character.

"It was at Poore's chambers that I met Horsey. Poore was excessively vain. He was a protégé of Harris, the author of *Hermes*. Harris' son, the first Earl of Malmesbury, was then at Oxford: much too great a man to speak to me; but Poore had access to him. Poore talked a great deal about music, and was admitted to Harris' concerts. Horsey was a man of free conversation; he was proud and insolent. Poore was a professed, nay, an ostentatious unbeliever. Horsey's discourse was such as none but an unbeliever could use. Wilberforce knew his character; he had a perfect abhorrence of Horsey, and I have heard him call him 'a dirty rascal,' and 'a dirty scoundrel.' Poore used to boast to me, that he had made Franklin a Platonist; and he boasted loudly of the feat. I told him he had turned a wise man away from useful pursuits, to pursuits that were of no use at all. I dare say Franklin heard him very quietly, and was not moved in the least. There were two St Johns there. Goodyear St John, if he had ever learned anything, had forgotten it all. His life was one of gaming, drinking, and strumpeting. He used to take me by the heels and hold me, my head downwards; and I remember losing half-a-guinea in consequence, which fell out of my pocket. He became a parson, as there were livings in the family; so did another drunken fellow of the name of Popham. There was a young wag called Crop, who was also a *debauché*. I do not know what became of him, but I remember he got a lecture from the Monk Jefferson, who told him he would bring his father's gray hairs with sorrow to the grave. 'No! I sha'n't,' said he, 'my father wears a wig.' There was another sot, Lechmere, who used to drink till his eyes became purple, like Sheridan's. He came into parliament. They were all either stupid or dissipated. I learnt nothing. I played at tennis once or twice. I took to reading Greek of my own fancy; but there was no encouragement: we just went to the foolish lectures of our tutors, to be taught something of logical jargon."

When Bentham was thirteen, he wrote

this Latin Ode on the death of George II., and the advent of George III. :—

IN OBITUM SERENISSIMI REGIS GEORGHII 2DI,
ET GEORGHII 3II INAUGURATIONEM.

Eheu Georgi! jamne Britannica
Gestare tædet sceptrâ piâ manu
Linguisque perculsum Senatum
Et populum Patre destitutum?
Te triste Fatum sustulit invidens
Tantum Britannis et decus et bonum;
Sed tu beatos inter, altè
Sceptra tenes potiore regno.
Quamvis ad instar fulminis, horrido
Gallum phalanges diruit impetu,
Semperque nobis à cruento
Præsidium fuit hoste tutum.
Illumque Regem rudis Americus
Agnovit armis, indomitus prius;
Et Georgii longè remotus
Arma videns trepidavit Afer.
Ne spem Britanni ponite; protinus
En surgit alter Georgius; ille avi
Virtutibus, famâ, et coronâ
Anglicâ, potietur hæres.
Et si favebit prospera moribus
Fortuna prorsus labe carentibus,
Et rara Virtus Sanctitasque
Par pretium meritis habebunt,
Nil Georgii non perficient manus;
Redditque fessis Marte diutino
Pacem Britannis; atque clemens
Jure reget populum volentem.*

Jer: Bentham e Coll: Reg. Oxon:
28 Novembre, 1760.

These verses made some noise, as being the composition of so young a person; and were given, by Chamberlain Clarke, to Sir John Hawkins, in order that he might obtain Dr Johnson's opinion of them. That opinion was sent to Oxford, that Bentham might benefit by his corrections. Bentham himself said of his Ode—"It was a mediocre performance, on a trumpery subject, written by a miserable child. It was, perhaps, as good as those which were accepted."

I have, however, in Dr Johnson's handwriting, his observations on the Ode. He suggests some alterations; but concludes by saying—

"When these objections are removed, the copy will, I believe, be received; for it is a very pretty performance of a young man."

Bentham gave this account of his poetical attempt:—"Thirteen years had not been numbered by me when the second of the Guelphs was gathered to his fathers. Waste of time had been

* The 1st and 4th of the above stanzas are inscribed on his picture painted by Mr Fry, and afterwards presented to Lord Shelburne.

commenced by me at Queen's College, Oxford. Tears were demanded by the occasion, and tears were actually paid accordingly. Meantime, according to custom, at that source and choice seat of learning, loyalty, and piety, a fasciculus of poetry—appropriate poetry—was called for, at the hands of the ingenious youths, or such of them whose pens were rich enough to be guided by private tutors. My quill, with the others, went to work; though, alas! without learned or reverend hand to guide it. In process of time, by dint of hard labour, out of Ainsworth's Dictionary and the Gradus ad Parnassum, were manufactured stanzas of Latin Alcaics, beginning *Eheu Georgi!* certifying and proclaiming the experienced attributes of the dead god and the surely-expected ditto of the living one, with grief in proper form at the beginning, and consolation, in no less proper form, at the end."

One of Bentham's jokes, dated Crutched Friars, January 29, 1761, I find in his father's hand-writing, in English and Latin. It is not amiss for a boy yet under fourteen, though not very complimentary to his friend:—

I'm asked to see his ape, by neighbour Blanckley:
I'll go—but, fear a truth, I'll tell you frankly,
Lest he should strip the creature of his rug,
And in his skin impose himself for pug;
For had he but the skin, there needs no more:
In genius, manners, phiz—he's pug all o'er.

IN AMICUM MEUM, STANYFORDUM BLANCKLEY,
ET SIMIAM EJUS:—

Visere Blanckleianum accersor Cercopithecum;
Ibo; sed hoc metuo (non etenim absimile est)
Ne forte illudat vestitus pelle ferinâ
Ipsamque ostendat se mihi—pro Simiâ:
Pelle sit indutus; præsto sunt cætera cuncta;
Ingeniumque, et mos est Simialis et Os.

"In those days," said Bentham, "came the coronation. My father was indulgent. I was sent for from College to take a gape at the raree-show. Passing along the Park, as the young sovereign was traversing it likewise, some how or other I caught a glimpse of him. In rushed upon my mind the exclamation in the *Æneid*—*O Deus certè*. Nothing but the apprehension of a false concord could have prevented the ecstatic utterance of it. At any rate, to the being an angel of light nothing was wanting in him but wings."

It was amusing to hear Bentham talk

of the early impressions of his life respecting great people. For kings, and especially the kings of England, he had felt unbounded reverence. "Loyalty and virtue," I have heard him say, "were then synonymous terms." When a little boy—and, as I have mentioned, he was singularly little—he made a great effort to get a peep at George the Second, and succeeded to his ineffable delight in seeing the top of his wig—the king was then in company with the Duke of Cumberland. He was present at the coronation of George the Third, and remembered that he described the young monarch as "a most beautiful man." In after life far different sentiments filled his mind. His opinion of George the Third was as low, as mean, as one human being could well have of another. He called him treacherous, selfish, deceitful, tyrannical, vehemently attached to all abuses—violently opposed to all reforms—a hypocrite and a liar.

I do not believe he ever conversed with George the Third. He only saw him once when he (Bentham) was travelling with Lord Lansdowne, and Lord Lansdowne got out of the carriage and went to talk to the king, leaving Bentham alone; but Lord L. did not mention when he returned what had passed between them.

Illustrative of Bentham's situation at Oxford, is the following, addressed by him (ætat. 13) to his father, on

"Tuesday, 30th June, 1761.

"DEAR PAPA,—I have sent you a declamation I spoke last Saturday, with the approbation of all my acquaintances, who liked the thing itself very well, but still better my manner of speaking it. Even a bachelor of my acquaintance went so far as to say that he never heard but one speak a declamation better all the time he has been in College; which, indeed, is not much to say, as, perhaps, you imagine, for sure nobody can speak worse than we do here; for, in short, 'tis like repeating just so many lines out of a *Propria quæ Maribus*. I have disputed, too, in the Hall once, and am going in again to-morrow. There also I came off with honour, having fairly

beat off, not only my proper antagonist, but the moderator himself; for he was forced to supply my antagonist with arguments, the invalidity of which I clearly demonstrated. I should have disputed much oftener, but for the holidays or eves, that happen on Mondays, Wednesdays, and Fridays; and, besides, we went three times into the Hall before we disputed ourselves, that we might see the method. Indeed, I am very sorry it did not come to my turn to dispute every disputation day; for, for my own part, I desire no better sport. I wish you would let me come home very soon, for my clothes are dropping off my back; and if I don't go home very soon, to get new ones, I must not go down stairs, they are so bad; for as soon as one hole is mended, another breaks out again; and, as almost all the commoners either are gone for the vacation, or will go in a day or two's time, very little business will be going forward. Pray, give me an answer very soon, that I may know whether I am to wear clothes or go in rags. Pray, give my duty to grand-mamma, and love to dear Sammy, and represent the woful condition of one who is, nevertheless, your dutiful and affectionate son,

“J. BENTHAM.

“I should be glad to know yours and Mr Skinner's opinion of Higgenbroccius.

“Pray, see if you can make out this thing, which is strictly true here:—*Nostra parva ursa non solum est rus, vel, sed etiam oportet ego.*

“Pray, excuse my not writing over my declamation.

“*From Queen's College, Oxford.*”

The following amusing Oxford story I find in Bentham's MSS. of this period:—

“Among the curiosities in the museum at Oxford, a certain cicerone, who was entertaining some strangers with the inspection of the contents of that repository, came at last to an old sword, deeply enriched with the precious rust of antiquity.

“‘This sword,’ says he—‘ay, let me see—yes, this sword is the very sword that Balaam slew the ass with.’

“‘I beg pardon, sir,’ observed one of

the company, ‘for interrupting you; but my notion had all along been that the ass had found a friend to intercede for him, and that, as to all but a sound drubbing, poor dapple came off with a whole skin. I am speaking of the common accounts we have of that celebrated transaction; but, perhaps, these valuable archives may have furnished you with some more authentic evidence, to show that the intercession of the ass's friend was attended with like consequences to those of Don Quixote's interposition in favour of the young ploughboy that was receiving discipline from his father.’

“‘Indeed, sir,’ replied the cicerone, ‘I know no more of the business than every gentleman present knows. It was my mistake. What you say is right: the ass was not slain. This sword, therefore, is the sword he would have slain the ass with, if he could have got one.’”*

* I insert two specimens of Bentham's Latinity at this period, the one in verse, the other in prose:—

PARVUM PARVA DECENT.

Ambigo, num laudes celebrem, audacissime Thumbe,
An damnem nimium fortia facta magis?

Quotidie solitus ferro es truncare Gigantes;

Vix à te miseris ulla relictæ quies.

Hæc bene; nam hoc alii faciebant tempore multi,

Hora esset quando desidiosa sibi.

Sed tu Reginæ, ad summum vix pollice major,

Tentare amplexus ausus es ipse tuæ.

Hoc hominis, te sex qui passibus altior, esset;

Nosce audax, parvo parva decere tibi.

Coll. Reg. Oxon., 27th March, 1762.

NUNQUAM MINUS SOLUS, QUAM CUM SOLUS.

Est genus hominum, qui neminem beatum esse existimant qui non in populorum conspectu et frequentia versantur, aut in rebus gerendis, et negotiis hinc inde prementibus sunt implicati. His in more est, solitudinem tanquam miserrimam vitæ sortem in quâ nihil læti sit, nihil jucundi, nihil nisi quod horrorem etiam cogitantibus incutiat, damnare, totisque viribus refugere. Liceat mihi horum hominum opinionem minuere, et vitæ solitariae amœnitates rudibus et inexpertis paulisper explicare: adducere eos aggrediamur ut aliquando esse soli velint et experiri discant quot quantique solitudinis fructus. Enimvero cum a multitudine, cum a strepitu, cum a negotio, nos sevocemus, quid aliud agimus nisi quod animum nugis jam diu vacantem, vel curarum mole fatiscentem, ad seipsum advocamus, secum colloqui docemus, et secum meditari assuescimus? In turbâ plus oculis quam mente laboratur, in conclavi vero et in secessu, cogitando, inquirendo et consulendo, plurima eaque præclarissima consequimur. Neque enim, domestici parietes qui oculorum aciem definiunt, iisdem terminis etiam animum includunt, quin, nisi iners sit atque ignavus, res infinitas, easque longè dissitas, acriter indagare, acutè penetrare, et liberrimè valeat, percurrere;

In 1763, being then about sixteen—a rare honour for so young a lad—Bentham took his degree of Bachelor of Arts. He had, for some time, been in possession of a small exhibition, amounting to about £20 a-year.

It would seem to have been a usage at Oxford, for students to wear borrowed plumes in order to obtain degrees. In Bentham's hand-writing I find this memorandum:—

“The following three epigrams were made by Jeremy Bentham, Commoner

talis enim divinæ hujus particulæ vis est, ut perpetuâ quâdam agitatione semper emicet, et cum rerum harum minutarum impedimentis libera sit et soluta, res altissimas, ortûs sui scilicet non immemor tanquam ad se maximè pertinentes, summo nisu contendat. Hæc autem animi excellentia nusquam magis cernitur quam in conclavi, hoc est enim quasi privatum quoddam theatrum, ubi res universæ animo libere sese spectandas exhibent: hic nos negotiis abstracti, longiori et clariori prospectu intuemur. Hic per continuam rerum novitatem cogitationumque varietatem semper perducimur. Ecquis igitur nisi rationis experts, amabilem hunc recessum tanquam solitarium, damnat? Ecquis adeo multitudini deditus, ut non vel ipsum forum majoris accusaret solitudinis quam conclave? nam inter fori prædones vir bonus sæpe solus est, in conclavi vero solus esse non potest, dum secum versatur. Non autem Musæum meum ita omni ornatu denudari vellem ut nil mihi præter mentem relinqueretur; vellem mihi a dextra et a lævâ adesse bonam librorum copiam. Ii enim domum literatam pulcherrimè adornant. Ii solitudinis amatori optimis sese socios exhibent. In picturis cæteraque ædium suppellectili inanem tantum superficiem admiramur; in libris vero ipsos auctores (ut ita dicam) nobiscum colloquentes audimus; audimus inter comites,—nudo tantum sermone delectamur, in libris autem ipsos Scriptorum animos intuemur. Quid vero dulcius, quid utilius, quam veteres istos præclaros, Homerum, Virgilium, Ciceronem tecum totos dies noctesque versari, ubi velis præsto adesse, ubi nolis, recedere? O veram sinceramque Societatem! O dulce honesteque otium omni negotio longè fructuosius! Non vobis, Epicurei, conceditur hujusce solitudinis fructus percipere, qui recessum ideo quæritis ut ventri et somno securius indulgeatis. Non vobis, Stoici, tranquillitate hac uti licet, qui ideo ab hominum frequentia reciditis, ut majori cum impunitate omnes præter vos ipsos intemperantiæ damnetis neque denuo homines melancholiæ aut iracundiæ dediti sese solitudine credant, qui quanto reconditiores sunt tanto funestiora sibi aut aliis machinantur. Sed ex juvenibus, ii soli bene secum versari norunt, quibus benignissima Academia optimam ingenii sui excolendi opportunitatem suppeditat: Ex senioribus vero, ii soli otium et recessum cum laude quærant, qui Ciceronis ad instar maximis in patriæ commodum officiis publice perfuncti; in conclave redeunt majoribus perfuncti, in conclavi majoribus perfuncturi.

BENTHAM

habita in Aulâ Coll. Reg. Oxon. Julii 1762.

of Queen's College, Oxon., for a friend of his, and were spoken by his friend in the public schools, for his exercise as a determining bachelor, on Ash-Wednesday, in Lent Term, 1763:—

AN PLURES SINT CAUSÆ EJUSDEM REI? NEG^r.

‘Unde fit ut totâ digitis signatus in urbe
Corniger à populo prætereunte vocer?
Unde fit ut nostras celebrent nova cantica laudes,
Attentoque foco garrula narrat anus?
(Urbanus senior questus sic fundit amico:)
Horum scire velim quis mihi causa fuit?’
‘Quis tu causa, rogas? non ille nec illa, sed ipsum
Suspikor uxori Jura negasse tuæ? IDEM AFF^r.
Quis tu causa rogas? uxorem consule, noster,
Auctores semper res habet ista duos.’

AN OMNIA AGANT PER CONTACTUM? AFF^r.

Cum lassa in notâ posuisset membra Cathedrâ,
En reducem ex Aulâ me, hei mihi, civis ait,
Unus erat, nutum flectens se cujus ad omnem
Increbuit circa spissa caterva virum.
Regi a consiliis hic est, mihi proximus inquit,
Hic est imperii quem penes omnis honos,
Porrigit huc manum; in hunc placidos convertit
ocellos:

Affatur comes hunc, quomodo amice vales
Quisquis blanditias quicquam, aut promissa valere
Credit, judicio fallitur ille meo.
Sint nummi in manibus mihi, quivis cætera sumat
His audire juvet, sed mihi tacta placent.

AN DETUR ACTIO IN DISTANS? NEG^r.

Quodam erat in vico, bene qui præstigia nôrat
Versarique levi pollice quemque dolum.
Prodent hic quivis, atque hæc, quam cernitis, illum
Semotè à nobis charta sequetur, ait,
Dixit, et in mediis puer astat; at ipsa secuta est,
Atque leve à tergo charta pendit onus.
Respiciens stupet ipse puer; stupet inscia turba,
Et magica hic certe est arte peritus ait.
Callidior donec chartam puer arripit, et mox
Ostendit sociis tenuia fila suis.

When Bentham came to town from Oxford, his father insisted upon his attention to the dancing-master; and, though he hinted at his repugnance, it was in vain.

“I never can make out this figure of eight,” he said, “which the dancing-master will have me to learn. If the other dancers will stand still—if they will consent to be statues for a little while—I will make the figure of eight around or about them; but, as they are always moving, I know not where to find them.”

With all his love and admiration of his son, it is strange how Mr Bentham should have so completely failed in obtaining his confidence. Never were too natures more unlike. The consequence

was that Bentham never opened his heart to his father. He could not even communicate to him his sorrows. Bentham was more than once penniless. All his money was stolen from him at Ox-

ford by the person who made his bed. He never breathed a word of the calamity. I find the latest letters to his father commence with the words—"Honoured Sir."

CHAPTER III.

1763-1770. ÆT. 15-25.

Enters as Student in Court of King's Bench.—Lincoln's Inn.—Blackstone's Lectures.—Wilkes' Trial: Lord Mansfield.—A Tour in the North of England.—Visits France.—Mrs Cibber.—Sir Joshua Reynolds.—Father's Marriage with Mrs Abbott.—Master's Degree.—Anecdotes of the Mackreth Family.—Propensity to involuntary Laughter.—Leaves Oxford.—Bias of his Mind.—Reminiscences of Places and Persons: Sir John Hawkins: Hawkesworth: Sir W. Jones: White: Lowndes: Chamberlain Clarke.—Authentication of a Portrait of Milton.—Pierre Vrillon.—Excursions.—Account of Lind and Nathaniel Forster, with Notices of Camden, Rosslyn, Franklin, Parr, and Prince Czartoriski.—Wilkes and George III.—Duelling.—Residence in Paris.—John Forster.—Wortley Montague.

IN 1763, Bentham took his place as a student in the Court of King's Bench, Westminster Hall; and his father gave Mr Perkins, the crier of the court, seven shillings and sixpence to secure a particular seat during the term. This seat was immediately below the officers, under the judges. There were four such seats. There was, in those days, room for two students on each side of the judge on the bench; but Lord Kenyon put an end to the usage. The crier was generally fee'd in order to obtain the seat. Bentham began to eat his commons in Lincoln's Inn in November, 1763; but returned to Oxford the beginning of the following December. He then attended Blackstone's lectures; and the impressions made upon him he thus describes:—

"I attended with two collegiates of my acquaintance. One was Samuel Parker Coke, a descendant of Lord Coke, a gentleman commoner, who afterwards sat in Parliament: the other was Dr Downes. They both took notes; which I attempted to do, but could not continue it, as my thoughts were occupied in reflecting on what I heard. I immediately detected his fallacy respecting natural rights; I thought his notions very frivolous and illogical about the gravitating downwards of *hæreditas*; and his rea-

sons altogether futile, why it must *descend* and could not *ascend*—an idea, indeed, borrowed from Lord Coke. Blackstone was a formal, precise, and affected lecturer—just what you would expect from the character of his writings: cold, reserved, and wary—exhibiting a frigid pride. But his lectures were popular, though the subject did not then excite a wide-spreading interest, and his attendants were not more than from thirty to fifty. Blackstone was succeeded by Dr Beavor, who read lectures on Roman law, which were laughed at, and failed in drawing such audiences as Blackstone drew.

"February 21.—*Aujourd'hui*, fils Jeremy attended Wilkes' trial, in Court of King's Bench," is in his father's memorandum book. The trial was for publishing the North Briton. After his outlawry, when Wilkes came into court to surrender, Sir Fletcher Norton, who had been doing all he could to ruin him, advanced towards him, and shook him most cordially by the hand. Bentham heard the outlawry reversed; and has often mentioned that he was perfectly bewitched by Lord Mansfield's grimgibber. He leaned back in his chair, and made the speech which won for him, at the time, so much applause and admiration. It is in Burrow's

Reports, from a copy which Lord Mansfield furnished. His manners were full of grace. He was a short, squat man, with a most eloquent physiognomy, and fascinating voice. Bentham kept, as a great treasure, a picture of him, given by Martin, his protégé, and frequently went to Caen Wood, as a lover to the shrine of his mistress, in the hope that chance might throw him in his way, and that he might get the honour of a word or a look from him. Bentham began a eulogistic poem to him, of which the first stanza was:—

“Hail, noble Mansfield! chief among the just,
The bad man's terror, and the good man's trust!”

But there he stuck; the muse abandoned him, and he could not accomplish a second satisfactory rhyme. Bentham heard much about him, however, from his friend, Lind, who was sometimes invited to dinner by the noble judge. His conversation was always better than the cheer, according to Lind's account of both.

In the year 1764, Bentham accompanied his father to the north of England. I will give some of his recollections, in his own words:—

“I did not like Althorp—it was a gloomy place. The trees hung down on the ground, heavily and sadly. We stayed some days at Matlock wells, at one of the lodging-houses. Everything was cheap there. We paid a shilling for a handsome dinner. The scenery is beautifully picturesque. There were then no fine buildings at Matlock. The rooms had for their ornaments festoons of moss; and the pictures of the surrounding landscapes hung on the walls. The rocks were grand and novel, and the streams ran down them delightfully. I remember no interesting events. If there were any, their memory has evaporated, and left no trace behind. But I got *ennuyé* at Buxton, where the party lingered about the baths; and I got a horse and went in quest of adventures, but found none. We went to Stockport, Liverpool, Chester, Macclesfield, and the *Wiches*, where the salt is made. Warrington was then classic ground. Priestley lived there. What would I not

have given to have found courage to visit him? He had already written several philosophical works; and in the tail of one of his pamphlets I had seen that admirable phrase, ‘greatest happiness of greatest number,’ which had such an influence on the succeeding part (which some erroneously call the after-part) of my life. Chester is a curious place; built of red stone; and you go upon a platform between the shops, where there is a sort of veranda, which resembles the shops at Bucharest. Great numbers of people were always walking there. At Ross, we were introduced to Dr Roberts, a naturalist, who received us hospitably, quoted Tacitus to us, and recommended us to a Mr Jordan, who had large copper works. Him we found not; but we found two young ladies, who gave us dinner, and escorted us to the Abbey; a pleasant trip to a pretty ruin. At Monmouth (within a mile) is a place called Hadnock Hall, where Lord Admiral Griffin resided, who is mentioned in the history of the East India Company, as he commanded a squadron on the coast of Coromandel. Here he lived in retirement; but welcomed us kindly. His eldest son was a barrister of Lincoln's Inn, with legs as large as an ordinary man's body; his second son, an attorney; his third, a parson, with whom I had done sundry exercises at Queen's College. On the estate, was a perfect castle—noble, lofty, and picturesque. Though built in King John's time, it was little dilapidated. We crossed the Severn and got to Bristol, where we had many friends. I was pleased to be in the birthplace of Coulston, whose picture, with four verses from Claudian at its foot, I had been taught to venerate in my childhood. One of our acquaintances at Bristol was Mrs Vernon. We called her the Lady Unaccountable: she told such stories, made such reflections, pointed such sarcasms, that we were highly amused. Two of her daughters had made stolen matches. She saw them; but her husband would not. We went through Bath to Browning Hill.

“I was at this time about sixteen; but still a dwarf—a perfect dwarf. I had no calfs to my legs; and one Mr

Harris, a Quaker, offended me not a little by asking me whither my calves were gone a-grazing. But, after this period, I shot up.

"We also visited Sir John Hawkins, and Mrs Southgate, of whose husband Constantia Philips had been a paramour. He is mentioned by her in her *Memoirs* under the name of Tartuffe. He was a Roman Catholic, and affected great devotion."

In this year (1764) Bentham accompanied his father and a party of friends to France. He was delighted with a visit they paid to the chateau of the Prince of Condé at Chantilly. The carp in the fish-ponds were so tame, that they took the sticks of the visitors into their mouths.

"I did envy the Prince," said Bentham, "his beautiful palace. I exclaimed, What a bliss to be a Prince! I was not much wiser than the ploughboy, who said his bliss would be to swing all day upon a gate, eating beef and carrots; or than a Justice of the Peace, who told me that his *summum bonum* was to grab for eels in the mud; and whom I once found tearing up 'Sanderson's Logic' to ram into his fowling-piece."

At Paris, they went the accustomed round of sight-seeing. The question of daily debate was where they should dine. "Anywhere," was the old gentleman's constant answer to the inquiry; but he had always some objection to the "where" suggested. He took his son to see the tomb of James the Second at the Carmelite Convent; but although born and bred a Jacobite, most of his monarchical prejudices had oozed out before Bentham's birth.

France, as a country, left an unfavourable impression on young Bentham. The imitations of England appeared wretched; its gardens stiff and formal. But of the French, as a nation, he was always fond: their vivacity, courtesy, and aptitude for enjoyment, responded to all the tendencies of his own character. At Versailles, the beauty of the dauphiness charmed him. Most of the favourable impressions he received were from the people; but the backwardness of their agriculture, and of their domestic civili-

sation, seemed strangely contrasted with the advances even then made by England.

He wished to bring from Paris, as a present to his aunt, the stamp by which the pots of butter were impressed, representing on one side the king of England, and on the other the king of France; but the cost (fifteen livres) was too great, and he was forced to content himself with presenting a bottle of oil of jessamine. On many occasions, Bentham's poverty interfered with his engagements and his studies. He was passionately fond of chemistry, and indeed of all experimental philosophy; but was denied the means of obtaining the necessary apparatus for pursuing his investigations. On one occasion, he bargained with a chemist to have the sweepings of his shop in phials, &c., for half-a-crown. Had he met with more encouragement, his mind would probably have been principally or wholly directed to the physical sciences. They have happily found other successful explorers; and it can be no subject of regret, that less attractive but more important questions soon absorbed the whole attention of Bentham.

In his father's memoranda, I find:—"1765, Dec. 31.—Lent Jerry sixpence to pay for his losses at cards;" and I read this note to him. "Most true," said he; "and that sixpence which I owed my father has never been paid: the statute of limitation saves me in part, my being his executor wholly."

At this time of Bentham's life, he got some counsels from a friend, (whose name I shall conceal, because he was the practical exemplification of the sagacity of his doctrines,) to this effect:—

"If you mean to rise, catch hold of the skirts of those who are above you, and care nothing for those beneath you."

His friend caught hold of the skirts of an archbishop, and got to be a judge. Bentham listened coldly to the advice; was coldly regarded, ever after, by the aspirant; and died, not a judge, but a philosopher.

One or two memoranda of Bentham, of the year 1765, are worth preserving.

"I went to see Mrs Cibber at Covent

Garden : she was beautiful at sixty. Another woman, beautiful at sixty, was Mrs Yates, whom I saw in Ophelia."

"I remember going to Twickenham church with my father and Mr Reynolds, afterwards Sir Joshua. His conversation left no impression on me: his countenance was not pleasing. There was great talk about painting, and about *his* painting; but I knew nothing about painting, and cared nothing about him. His *Una* I remember sitting in a queer posture, and without a chair."

"Fine colours were the order of the day. I had a pea-green coat and green silk breeches, which were first exhibited on a walk, with Chamberlain Clarke, from Oxford to Farrington. The breeches were bitterly tight; and I was frightfully tired."

"When Lind came to my father, it was in his flowered dress, with purple and gold, and I know not what; for he had a prodigious quantity of fine clothes, cut velvet embroidery, silver, gold, and all sorts of trappings."

"Fortescue's treatise on the difference between absolute and limited monarchy was, at this time, put into my hands by my father. Its recommendation was, that it eulogized our institutions. Fortescue was one of the many whose families owe their large fortunes to the law—fortunes accumulated by the denial of justice; for its costliness is denial to all who cannot pay."

In this year, Bentham's father married Mrs Abbott. She was the widow of Dr John Abbott, and the mother of Charles Abbott, who was afterwards Speaker of the House of Commons, and became Lord Colchester. The marriage caused Bentham much vexation; and he always spoke of his step-mother with dislike. In his father's memoranda, I find:—"Dr Samuel Smith, the head master of Westminster School, married us on the 14th October; and he very kindly refused to accept a compliment of five guineas, which I offered him on the occasion."

In 1766, Bentham took his Master's degree at Oxford. His father gave him £20 on the occasion. He said he felt no small degree of pride to be so distin-

guished. The Bachelors having no particular costume—"I strutted," he said, "like a crow in a gutter." When the election for Members of Parliament took place, a curious question was mooted as to whether Bentham's vote could be received, he being under age; but the man for whom he voted having beaten his opponent by a large majority, there was no scrutiny.

Among the new acquaintances Bentham had at this period, were the Mackreths, of whom he gave me this account:—"The name brings back both interesting and painful recollections. You have heard me mention the Plowden family, and a place called Yewhurst—a parish within itself, which took its name from an avenue of lofty yew trees. The proprietor, as you heard, was a *roué*, who took orders in the latter period of his life, that he might have the tithes in addition to the property. He paid a petty curate. He had a beautiful daughter, who married Mr Wheeler, who became, in process of time, one of the council of Bengal. Yewhurst was sold, about this time (1766,) to a Mr Mackreth, with whom, I believe, my father had some acquaintance, as he was also acquainted with a Mr Harding, who kept a small coffee-house near Temple Bar, where he had amassed some fortune, and left business. My father, who had known the coffee-house keeper, was, of course, intimate with the retired gentleman, who lived in James' Street. Mackreth had been a publican too, having kept the great house called White's, near Arthur's. He had been a waiter there, and found favour in the sight of Arthur's daughter, whom he married. He must have been above forty, though he did not appear more than twenty-six or twenty-seven. He died, not long ago, at the age of ninety-four. I had met him, a few days before his death, looking like a man of sixty, with no signs of decrepitude. Mrs Mackreth was a woman whose face was beautiful, but her body deformed: elegant in manners, as if her father had been a duke. And her husband was a clever, well-informed man. He bought Yewhurst, and came to live there, as it had a very good house. He introduced many im-

provements, such as picturesque gardens, fish-ponds, &c. In the year of my father's marriage, I went from Browning Hill to visit the Mackreths, who received me most kindly. There were present a Mr Robins, who had been or was a great confectioner, with whom Mr Arthur had probably dealt; and a Mr Chauvel, whom they called Colonel Chauvel, but who had been in trade. Mackreth kept his town as well as his country house, and was proud of the hospitality he displayed at Yewhurst, where he had his billiard-table, bowling-green, and other amusements; and he gathered about him many interesting characters: so I was in Elysium there; and he kept me in Elysium from day to day. My visit lingered far longer than I had thought; and I sent and got changes of linen at Browning Hill, and wandered about to all the attractions of the neighbourhood. Among others, I remember Freemantle Park, where there was a well 400 feet deep. I was happy as a king; occupied a sumptuous bedroom, fitted up in the highest style of taste and elegance. Mackreth's great ambition was to be considered a gentleman, and to be admitted among the quality: but he often was disappointed; for those who knew he had been a waiter at Arthur's, could not bear the thought of recognising his equality. He did not neglect his own interest, and made much money by buying and selling estates. He was full of prejudices; and I remember his answering an eulogium of mine upon Hume by saying—'But he is a Scotsman.' I found, afterwards, that one reason of his great attention to me, was the wish of being instructed by me. Among other contrivances, he arranged to lose money at cards, so that it might get into my pocket. The scene was one of prosperity and felicity. But I had a weakness, of which you have heard me speak: I could not always restrain my laughter, even when there was no motive for laughter. It was as much a disease as the diabetes. He had asked two stupid fellows to dine with him. There was a great entertainment, and the usual profusion. I saw a dish that was unknown to me, and asked him what

it was? *Choux-fleurs à la*—— something, I forget what, he said, but without any impropriety in the pronunciation. A fit of laughing came over me. I asked him to repeat it. Another fit more violent came on. He supposed I meant to insult him. I had not the presence of mind to say that it was an infirmity, and that my thoughts were altogether passive. I had given great offence. Everybody looked blank; and when I left the house there was an obvious change of feeling towards me. Once, afterwards, I dined there with my uncle. His mind was too poor to find interesting matter for anybody; and, in truth, nobody was present but uninteresting people. After dinner, a bed was offered to everybody but to me. The fact was, I had destroyed his purpose of ingratiating himself with the two booby country gentlemen, who supposed I had detected in him some gross vulgarity. I had another calamity there; going out in their carriage, the glass was so transparent that I perceived no glass at all. I spat; and covered with false shame, wiped it away with my handkerchief. This was my final condemnation. I never got another invitation. He used to take me to parties in the neighbourhood; but it was all over now. I not only lost the wonted pleasures, but I was haunted with dread lest my father should question me respecting Mr and Mrs Mackreth. Happily he never asked any questions about it. Mackreth afterwards got into parliament for Oxford; but there were so many behind whose chairs he had officiated at dinner, that it would not do. He was excluded from their company. He became a knight, too, for some office he held in Westminster. Fourteen years afterwards, I had to sell the little property at Browning Hill; and I wrote to him that I was not insensible of the civilities with which he had honoured my earlier youth. I asked for an interview to offer the estate to him. He received me, not rudely, but with coldness and indifference. He said he was going to dine with some *country gentlemen*, in a tone which conveyed to me his wish that I should observe he *had* country gentlemen to invite him not-

withstanding my misdoings. It was Mr Limbey he was about to visit, a country gentleman who passed his life like an oyster, doing nothing, hearing nothing, reading nothing. I never saw Mackreth afterwards. My laugh had rankled in his mind. His ardent ambition could not forget it. I lost much enjoyment and much instruction in losing his friendship; for he was well acquainted with the world, and his conversation would have been eminently useful to me. Even now I cannot forgive my own weakness. You may well imagine the value of those histories with which he was acquainted. His situation was one of comfort and luxury: mine of solitude, abandonment, penury, and wretchedness.

"Twice I remember the perils to which this propensity to involuntary laughter exposed me. I was at George's Coffee-house, sitting by the fire; and Mr Little Hales was opposite me. A fit came on. He thought he was the object, and he used words importing a challenge. This made matters worse than before; and I laughed myself into a state of corporeal suffering. At Oxford, a passage of 'Chrononhotonthologos' set me laughing till a quantity of a liquid I was drinking was forced on the lungs. I fell down on my knees in agony. The study of anatomy enabled me to vanquish an infirmity which had caused me so much misery."

Bentham left Oxford, in 1767, little benefited, as he thought, by the instructions he had received in that university. The primary object of his father, in sending him there, had failed; for he had not used the opportunities, which a college life afforded, of making his way among the great, and forming acquaintances to which he might look for distinction and preferment in coming days. His father had imagined that he would have been launched from Oxford into splendid reputation at the bar. Little, indeed, did the views of the son respond to the ambition of his sire. What Bentham saw of the arts of rising in the world did not much encourage him to become a practitioner in them. At the present hour, the patronage of the great is not the sole instrument of honourable

distinction; but, at that time, the two sections of the aristocracy held, at their exclusive disposal, every avenue to place and power; and the man of humble birth, who determined to be a follower of neither, was necessarily excluded from the influential walks of life. The science of government was the science of corruption; and prostrate servility was generally the first step in the career of elevation.

Connected with this period of Bentham's history, I shall introduce some of his conversations, in which the names of many persons known to fame will figure, and which enable me to give a more autobiographical character to my narration.

"When first I became acquainted with Hogarth, which was when first I became acquainted with life, I did not know he had illustrated Hudibras. I should have been glad to have had 'The Rake's Progress:' but my father made over all the Barking pictures and all the family relics to a Mrs Nurse. I should have been rejoiced to have had them: the *pretium affectionis* which they had in my eyes, gave them no such value in other eyes.

"It is a great mortification to me, that so many houses to which I was attached in my childhood, have ceased to exist. For the house in Crutched Friars my father paid. There was the large garden, in which were a few fig-trees whose fruit never attempted to ripen; and a sick mulberry-tree, which indeed did produce fruit, but it was worth but little. When I came from Oxford to visit my friends the Browns, in Cursitor Street, great was my delight to see the garden there. One of Brown's daughters married a man called Mansell, who afterwards became Sheriff of Northampton. The other daughter died. I liked to go to Sir John Hawkins': he used to talk to me of his quarrels, and he was always quarrelling. He had a fierce dispute with Doctor Hawkesworth, who wrote the 'Adventurer,' and managed the 'Gentleman's Magazine,' which he called his Dragon. He had a woman in his house with red hair; and this circumstance, of which Hawkins availed

himself, gave him much advantage in the controversy. Hawkins was always tormenting me with his disputatious correspondence; always wondering how there could be so much depravity in human nature; yet he was himself a good-for-nothing fellow, haughty and ignorant, picking up little anecdotes and little bits of knowledge. He was a man of sapient look. 'All is not gold that glistens.' Another sapient-looking man was White, the Solicitor to the Treasury, a trumpery creature: he was remarkably staid. I saw him walking arm-in-arm with Lord Eldon, happily suited. There was Lowndes, too, ill-tempered to the last degree. He was Pitt's doer for the Treasury acts, and was made Chairman of the Board of Taxes. When Morton Pitt invited Minister Pitt and others to meet me, Lowndes was there. He was insolent and stupid beyond all conception. I had occasion to see how miserably all public business is conducted. Lady Hawkins told me, that on one occasion she had made twenty-seven cups of tea for Dr Johnson."

"While at the university, I wrote some verses on the taking of the Havannah; they were given to Dr Johnson, who made, what I thought, some unfounded criticisms on them. The verses, with the criticism, I gave to Miss V——, who wanted to possess Dr Johnson's autograph."

"I never saw Sir William Jones but once. He was an industrious man with no sort of genius, who made a great rout about small matters, and went spinning cobwebs out of his own brain, and winding them round common law."

Chamberlain Clarke was an old and intimate acquaintance of the Bentham family. He married the daughter of one of the trustees of Sir John Cass's Charity, with a fortune of £12,000.

Bentham sketched Clarke's character thus:—

"He ridiculed Panopticon; he had admiration for all that is ancient; dislike for all that is modern: he had a theory that law should descend from generation to generation, because law is *weighty*, and ought, therefore, naturally to descend: he put me on the wrong scent in my

studies; prevented my getting forward by always driving me back, back. He set me to read indifferent accounts of law as it was; he so filled my mind with notions of the merit of looking backwards, that I took to Anglo-Saxon inquiries, studied their language, and set myself to learning laws that had passed away.

"I remember joining him to deplore the loss of Lord Mansfield's MSS. by the mob; I should now think such a loss a gain.

"Clarke was an amiable and inoffensive man. When, about 1792, an act passed for making paid police magistrates—a bill drawn up by the late Lord Colchester, then Mr Abbot—Clarke applied for, and obtained one of the appointments. He had been formerly clerk to Sir John Hawkins."

The first brief Bentham ever got, was from Mr Clarke; it was a suit in equity, on which £50 depended; and the counsel he gave was, that the suit had better be put an end to, and the money that would be wasted in the contest saved.

"He used to show me a book he had, which belonged to John Locke. The writing was a common hand; stiff and stately, like that of King William's days."

There was a sort of rivalry between Chamberlain Clarke, who had bought Cowley's house, and Mr Bentham, senior, who had bought Milton's: it was this circumstance that induced him to wish to obtain Milton's picture. In his Diary is this memorandum:—

"1776, January 26.—Called at Mr Joseph Bolton's, who told me that Mr Hall had directed him to send me the picture of John Milton,* by way of present."

Memorandum on the back of the picture:—

"The original of this picture is in the hands of the Right Honourable Arthur Onslow, Speaker of the House of Com-

* There is a Note of Jeremiah Bentham:—"This portrait of Milton appears to have been made some time before he became blind; and Mr Parsons told me he had it from the executor of J. Richardson, who, in 1734, published a Life of Milton."

mons,* and was procured for him by me, from the executors of Milton's widow, soon after her death, which happened in Cheshire about 1728. He gave twenty guineas for it. This copy was done by Mr Philip Gresha, for me.

"12th January, 1737-8.

"WILLIAM COWPER.

"Cl. dom. dom."

In another page of the same Diary is the following mem.:—

"The following is a copy of an inscription, under the handwriting of Arthur Onslow, Esq., late Speaker of the House of Commons, at the back of a picture of Milton, at Ember Court, Surrey:—

"This original picture of Milton I bought in the year 1729 or 30, and paid twenty guineas for it, of Mr Cumberbatch, a gentleman of very good consideration in Chester, who was a relation and executor of the will of Milton's last wife, who died a little while before that time. He told me it hung up in her chamber till her death, and that she used to say her husband gave it her, to show her what he was in his youth, being drawn when he was about twenty-one years of age.

"AR. ONSLOW."

"Mr Hawkins Browne, (author of the poem *De Animi Immortalitate*), told me (8th October, 1753) that he knew this Mrs Milton; visited her often, and well remembered this picture hanging in her chamber, and which, she said, was of her husband.

"A. O."

"Compare this picture with that of Milton in his old age, or with the print of it by White. Mem. The above picture, upon a view of it, (at the Right Hon. George Onslow's, lately made Lord Cranley,) on the 2d June, 1776, by me Jeremiah Bentham, appeared to me to be twenty-two inches long, by eighteen inches wide, within the frame."

Jeremiah Bentham collected in his memoranda books many particulars of the poet. Some of these appear worth

preserving. They were extracted probably from the periodicals of his day, as for example:

"Mr Jonathan Hartop, now living at the village of Aldborough, near Borough-bridge, Yorkshire, has attained the amazing age of 137 years, having been born in 1653. His father and mother both died of the plague at their house in the Minories, 1666, and he perfectly remembered the great fire of London. He is short in stature, has been married eight times, and has now alive 7 children, 26 grandchildren, 74 great-grandchildren, and 40 great-great-grandchildren. He can read without spectacles, and plays at cribbage with perfect recollection. Last Christmas day, he walked nine miles to dine with one of his great-grandchildren. He remembers Charles the Second perfectly well, and once travelled to London with the facetious Killigrew. He eats but little, and drinks nothing but milk. He enjoys an uninterrupted flow of spirits. The third wife of this very extraordinary old man, was an illegitimate daughter of Oliver Cromwell, who gave with her a portion of five hundred pounds. He has in his possession a fine portrait of the usurper by Cooper, for which the late Mr Hollis offered him three hundred pounds.

"Mr Hartop lent the great Milton fifty pounds soon after the Restoration, which the bard returned to him with honour, although not without much difficulty, as his circumstances were very low. Mr Hartop would have declined receiving it again, but the pride of the poet was equal to his genius, and he sent the money with an angry letter, which is extant among the curious possessions of this venerable man."

The following is a copy of a letter from Mr George Vertue to Mr Charles Christian:—

"Mr CHRISTIAN,—Pray inform my Lord Harley that I have, on Thursday last, seen the daughter of Milton the poet. I carried with me two or three different prints of Milton's picture, which she immediately knew as like her father; and told me her mother-in-law, living in Cheshire, had two portraits of him—one when he was a school-boy, and the

* This is the portrait engraved by Houbraken, for the Collection of Heads published with Birch's Lives.

other when he was about twenty. She knows of no other picture of him, because she was several years in Ireland both before and after his death. She was the youngest of Milton's daughters by his first wife, and was taught to read to her father several languages.

"Mr Addison was desirous of seeing her once, and desired she would bring with her testimonials of being Milton's daughter; but as soon as she came into the room, he told her she needed none, her face having much of the likeness of the picture he had seen of him.

"For my part, I find the features of her face very much like the prints; I showed her the painting I have to engrave, which she believes not to be her father's picture, it being of a brown complexion, and black hair and curled locks. On the contrary, he was of a fair complexion, a little red in the cheeks, and light-brown lank hair.

(Signed) "GEORGE VERTUE."

"At this period, 1768-70," continued Bentham, "I used to visit a foreign merchant of the name of Pierre Vrillon, who lived in St Martin's Lane, Canon Street, and managed to have a pretty garden at the top of his house. His dress was always very mean; his garments coarse; and he wore coarse woollen stockings at a time when everybody contrived to spend as much as they could upon dress. His talk of foreign countries, of which I knew nothing, and of which he knew much, was fascinating to me. He used to go sponging from house to house, by way of saving what he could; but once, when his brother, with whom he lived, was absent, he took the opportunity of giving us a handsome dinner. There I first saw, to my amazement, cucumbers stuffed with meat,—vegetables whose bellies were full of animal food; it was a contrast to all I had seen before—a sort of a reversal of natural order. On that day, I made the acquaintance of Mr P  ter Nouailles, a refugee of French extraction. He had a handsome house in town, which I visited. What a charming wife he had, and what a sweet daughter of thirteen, who played exquisitely on the harpsi-

chord! Mr Nouailles had invented a cheap covering for houses; a mixture of tar and sand. I do not know whether it ever occurred to him to introduce water between it and the roof, as an additional security.

"Vrillon told me it was the constant practice in Italy to preserve ripe fruit in wax. Why should not experiments be made for a purpose so useful? Would fruits so preserved be allowed to be imported here? or would there be, as usual, some absurdity, that if they were entered as fruit, they would be called wax; if wax, they would be called fruit. There is a strange prejudice against myrtle wax; why should it not be used? It would look well to have two green candles and two white. Why not use it for the Virgin Mary and the Saints, who are very fond of candles?

"I made an equestrian tour with my uncle and aunt, in 1768. He always kept two horses, one for himself, and one for his man; but our cavalcade was four: he on horseback, she on horseback, your humble servant on horseback, and *our* humble servant on horseback. We went to see a Mr Osborne, who had a good estate called Turville Court. (General Dumouriez died there.) He had retired from business, and lived in a handsome house at the top of a hill, with the ground prettily tumbled about in its neighbourhood. He had a wife and an only son; had been an adjutant in the militia, which brought him into contact with the colonel, Lord Le Despenser, one of Wilkes' set—anti-religious. His lordship had been annoyed with a church which stood in the way of his prospect; so he threw it down and built another on the summit of the hill, and sadly scandalized divers old ladies thereby. His lordship, who had been Postmaster-general, got Osborne's son a place in the Post-office; but he misconducted himself and fell into indigence. Among my uncle's acquaintances, were the stewards to Lord Fitzwilliam and Lord Spencer; we visited the stewards, and heard much of the losses and injury which Lord S. had sustained from election riots. His fortune was considerably damaged, and he was obliged to maintain the rioters

in prison. But the steward had acquired, from nothing, enough to buy a handsome estate. In the neighbourhood of Stratford-on-Avon, we spent two or three days at a house in the midst of islands divided by little streams. At Leicester, we went to see a tessellated pavement with stones of the size of dice. At Althorp we were the guests of the steward, and dined with the upper servants. In the steward's room were various documents and parchments, among which was the account of the prosecution of a woman for selling her small beer too small.

"The year 1769 was to me a most interesting year. I was, I remember, reading Montesquieu, when the Archbishop of York called on me, to solicit my vote for Jenkinson and Hay. Prodigious courtesy was his grace; though I was only half dressed, and was busy, too, on chemistry, evaporating urine in order to obtain phosphorus. The ignorant mother of Chamberlain Clarke laughed at me, but laughed in vain. I was beginning to get gleams of practical philosophy. Montesquieu, Barrington, Beccaria, and Helvetius, but most of all Helvetius, set me on the principle of utility. When I had sketched a few vague notions on the subject, I looked delighted at my work. I remember asking myself—Would I take £500 for that sheet of paper? Poor as I was, I answered myself—No! that I would not."

With Chamberlain Clarke, Bentham undertook a pedestrian expedition in 1770. He wore leather breeches, and was sadly pinched. They "went first to Oxford; afterwards to Farrington, the seat of Mr Pye, who had been the M.P. for Berkshire. He afterwards broke down, became Poet Laureat, and one of the magistrates of Queen Square. He wrote travels in the aristocratical style; was intimate with Mitford: but his acquaintance was not worth making. He was a poet, *præterea nihil*. He asked leave for his daughter to walk in my garden; I told him my time was too much occupied to show her any attention. We walked up Birdlip Hill—on whose top was a little public-house—whence you look down on an avenue, at the end

of which, and at a distance of six or seven miles, the city of Gloucester opens upon the view.

"At Oxford, David Coke introduced me to all the courts, and to Judge Blackstone in his robes. I told him Clarke was an attorney; he was astonished, and said, his appearance was far superior to that of a grimibber. The attorneys of those days were little thought of.

"A talkative lady at Oxford wanted me to marry her daughter; and, on one occasion, I was obliged to escape out of the window. Her husband (Dr Bentham) was a little, insignificant, industrious man, who had got some reputation for his spontaneous divinity lectures, but was at the same time sorely quizzed; yet he was an excellent tutor, of quiet and gentle demeanour; and he threw out from the press, every now and then, a bit of Greek criticism, of which I got a copy—*λογος επιταφιος*—it was always commonplace, as he was commonplace; and I was never fond of commonplaces.

"In this journey with Chamberlain Clarke, we went to Pursfield, belonging to Valentine Morris, who actually ruined himself by his liberal entertainment of visitors. It was a beautiful place; everybody went there; got letters from friends, or friends' friends; so he thought he could do no other than exhibit hospitality: he gave them free dinners, and ran himself out.

"One day, when we were hungry, we found we were on the estate of a Mr Clutterbuck; we made up a theory that he must be a relation of a Mr Clutterbuck we knew; and our theory obtained for us some cheese and ale from a John Bull peasant who lived on the property."

In the visits which Bentham paid to the country with his father and step-mother, and which were frequent at this period, he usually walked behind them, alone, reading; and his favourite book was "Helvetius de l'Esprit."

One of Bentham's most intimate acquaintances was Lind. He was known in political circles as the correspondent of the King of Poland. "I wrote the design," he said, "to Lind's book on the Colonies; he would have set his

signature blindfold to anything I had written. Lind, in consequence of his book, got an order to draw up a declaration against the revolted colonies. There were two such declarations. Gibbon drew up the other. Lind had various sorts of style. He got £1000 for writing the addresses of Lord Pigot. For his *Manifesto*, he got £50 a-year for each of his sisters. The *Manifesto* was *not* well done. Lind was of North's (Bishop of Winchester's) gambling parties; he wanted to get into parliament, and to be chairman of ways and means. I remember his speaking of a relation, one Dr Lind, who was an author, and who valued himself most highly on being an author: he had written a book on the diseases peculiar to hot climates. Lind was an industrious author; his manners were easy, gentlemanly, and fashionable. Lind had two sisters at Rochford, where I had a little estate, which I let to a butcher of the name of Boosey; and Boosey was a Dissenter. We went one day and dined with him. After dinner, he took us to his meeting. I went with him a short way up the gallery; and the minister was making his prayer, and saying, as it appeared to me, 'O Lord! that *alterest* all events.' 'O,' said I, 'that is ultra-omnipotence'; and I broke out into a most violent but irresistible burst of laughter. I was near the door, and I made my escape without disturbing the congregation. It was a paroxysm; but it disturbed me greatly. At that time, Boosey was overseer of the poor; who lived in clover. He told me there had been a meeting among them, because he gave them sheep's heads, which they called *offal*. Not long after, dining with Adam, (the father of all the Adams who had got places,) there was a sheep's head (*Scotticè*) with the hair singed. I thought it a strange coincidence that the poor of a parish should rise in rebellion against a dish which was the favourite dish at the table of an aristocrat."

The following letter, addressed to me by Bentham, towards the close of his life, gives a graphic account of Lind and others, with whom Bentham came in contact in early life. It was written

for the purpose of supplying information to Mr Barker, who was then preparing materials for his *Parriana*, in the second volume of which it is printed at length:—

"QUEEN'S SQUARE PLACE, WESTMINSTER,
"30th January, 1827.

"To JOHN BOWRING, Esq.

"MY DEAR SIR,—Your friend, Mr Barker's commands, have been noted by me, and what follows is the fruit of my obedience.

"John Lind and [Nathaniel] Forster: yes, both of them, were friends of my youth, though Forster's christian name is not now remembered by me,—Lind a most intimate one.

"As to Lind, the origin of my acquaintance with him was this:—His father was by parentage, if not by birth, a Scotchman; he was a clergyman, and had a living in Colchester; he was a spendthrift. By I know not what accident, my father became acquainted with him. By my father's advice, a female relation of his bought an annuity of the reverend divine, and, in process of time, his property and income found its way into the hands of a set of creditors, of whom that same relation of my father's was one. Lind, the son, was a commoner, at Baliol College, Oxford. When he had taken his B.A. degree, he took orders. Soon after, a Mr Murray (I forget of what family, but I believe of some one of the noble families of that name) set out on his embassy for Constantinople. Lind, by what means I either never knew or have forgotten, became known to him, and went with him in the capacity of chaplain. I was at that time living in chambers in Lincoln's Inn, where, a little before his departure, I received a short visit from him. His father's income being at that time in my father's hands, as trustee for his creditors, my father advanced to the son the sum of £30, to contribute to his equipment. We heard no more from him, or of him, for I forget how many years. Mr Barker knows, I suppose, which is more than I do, (for I question whether I have now a copy of the work,) in what year those same

letters he mentions on the partition of Poland came out. In that same year, (1773,) as will appear in the title-page of the book, he returned to England with the title of Privy-councillor to his Polish Majesty, governor of an institution founded by the virtuous and unhappy monarch for the education of four hundred cadets, and the office, or rather the private trust, of governor to his nephew, Prince Stanislaus Poniatowski, in whose suite he came. On his arrival, after paying his devoirs and debt to my father, he called upon me at Lincoln's Inn, and we soon became intimate. The reverend divine, with the black garb and clerical wig, was now transformed into the man of fashion, with his velvet satin-lined coat, embroidered waistcoat, ruffles of rich lace, and hair dressed *à la mode*. When he quitted Constantinople, it was not without a set of powerful and useful recommendations to different places, through which he had to pass in his return by land to England.

"About this time, a Prince Czartorski, uncle to the king, became desirous of having some Englishman, of good character, to read English to him. The recommendations Lind brought with him procured him a welcome reception from the prince. The regular part of his employment consisted in the reading, as it came, of the *St James's Chronicle*. In those days, that newspaper found its way, and, for aught I know, it may still, into various and distant parts of Europe. In the year 1788, I found a copy at Bucharest,* to which place it came at the joint expense of a Greek, whose name I do not remember, and Mr Weber, a German, whose occupation there consisted, in part or in the whole, in teaching English. In the Greek, I found, to my equal surprise and satisfaction, an intelligent young man, who spoke French perfectly, and read Helvetius. In the imperial agent of that place, I had the still greater satisfaction of finding a very intelligent man, who had a very good English library, and, amongst other books, 'Smith's Wealth

of Nations.' But this is a digression and old man's tattle. I correct myself, and return to Lind. Upon his arrival in London, in the character just mentioned, his book passed with rapidity through the press, and brought his reputation immediately into full bloom. He was well received by the then minister, Lord North. The King of Poland, in the course of a visit of a year or more he had paid to England, before his election to the throne, had become acquainted with Lord Mansfield, then in all his glory, and Chief Justice of the King's Bench. Lind brought letters with him from the king to Lord Mansfield, and was well received by the noble and learned lord. He had not been long in London when, for the purpose of being near me, he took lodgings, I do not remember exactly where; and, not long after, took and furnished a house in Red Lion Street (or East Street may, for aught I know, be the name of it) near Lamb's, Conduit Street, where he continued till his death. Much about this time, he entered at Lincoln's Inn, for the purpose of being called to the bar, which calling he received in due season. All this while, he was living in the high world, and in particular in ministerial circles. More than once, when I have been at his house, I have seen him come in with his purse sometimes replenished, too often drained, at the card-parties of Mrs North, lady of the then Bishop of Winchester, brother to the minister. At the breaking out of the American war, he was employed in penning a sort of manifesto, published in justification of it. Not long before or after, another paper, written on I forget what different occasion, for the same purpose, bespoken by the same official customer, was penned by historian Gibbon. A notion has found its way to Mr Barker that Lind had written and published a treatise on grammar. I think I can direct him to the origin of this notion. No such treatise did my ex-reverend friend ever publish or write. He had neither relish nor literary assets for any such literary enterprise. His views had a busier and higher direction. But he thought he had made one gram-

* This must be a mistake, as Bentham returned from his tour in 1787.

matical discovery, and he was ambitious to distinguish himself by it, and plant reformation in the language. Where anybody else would say *himself*, he took upon himself to say *hissself*. This innovation found its way into his diplomatic paper: it attracted notice, but gave to it an air of singularity, of pedantry, of affectation, which certainly did not contribute to the success of it. I threw what cold water I could upon an ambition so unworthy of him, but did not succeed in quenching it.

"The reception given to his Polish Letters encouraged him to take a new and adventurous course in the world of politics. The result was, a work which bore for its title, "A Review of the Acts of the Thirteenth Parliament," &c., but it went no further than the acts passed on the occasion of the contest with America, and closed with the act called the Quebec Act, by which a constitution, in the true Tory style, and under the auspices, if not by the pen, of Lord Mansfield, was given to Canada. In that work I had some small share. I have preserved a copy, and shall say more of it by and by. He wrote with rapidity and carelessness, without looking at it: he would have signed with eagerness anything that I wrote: his style was rather loose and negligent—it was not equal to what it was at the writing of the Polish Letters: though naturally cheerful, he was not quite in such good spirits at this time as in that: in respect of pecuniary circumstances, he was not quite so much at his ease. I touched it up a little in several places; but before it was brought to the length of the Quebec Act, I lost sight of it. He was in haste to get it out, and circumstances, either on his part or on mine, or on both, admitted not of its passing at that time through my hands. Though writing on the government side, in support of that war which, from its want of success, has now become so universally disapproved, his mind was by no means destitute of the spirit of independence. On the occasion in question, without dictation or instruction, he wrote as he thought, which was as I thought. For by the badness of the arguments used on behalf of the

Americans, on that side of the water as well as on this, my judgment, unworped by connexion or hope, (for connexion I had none—hope proportionable,) was ranked on the government side. The whole of the case was founded on the assumption of *natural rights*, claimed without the slightest evidence for their existence, and supported by vague and declamatory generalities. If government be only the representative of *rights*, for which there is no standard, and about which there will be an infinite variety of opinions, the *right* to which the mother country laid claim would seem to stand on an older and a firmer foundation than the rights pretended by the colonies.

"A compliment I remember Lind reported to me as paid him by Lord Mansfield, was much more favourable to him than I had expected. It was to some such effect as this: where you have justified, you have justified convincingly; where you have censured, you have censured freely. The act was indeed widely open to censure: the censure, to judge now from the impression I remember it made on me, had more of strength and freedom than of correctness or discernment in it. Considering the quarter from whence the above judgment came, my surprise at finding it so favourable was not inconsiderable. But by the timid and crafty lawyer, the revenge, if any such was taken, was concealed by prudence: certain it is that, during the remainder of their joint lives, Lind being all the time at the bar, a letter of intercession which the King of Poland wrote to Lord Mansfield, for the purpose of obtaining for the Anglo-Polish privy-counsellor the benefit of the noble and learned lord's patronage, was not productive of any effect. 'His majesty knows very little of me,' said the Chief Justice to the Barrister, 'if he thinks that anything that he or anybody else could say to me, could add anything to my desire to give to the public the benefit of your services.' His labours, however, though the reward came from another quarter, did not go unrewarded. On his return to England, he found his two maiden sisters, Mary and Lætitia, both a little younger than himself, keeping at Colchester a boarding-school for young

ladies. It was not without some difficulty that they contrived to keep up in that situation a respectable appearance. I do not remember exactly what time it was, but it was during Lord North's administration, and a considerable number of years after the publication of that work of his, that a pension of £50 a-year for life was granted to each of these two sisters. You will have been expecting to hear something of the young Telemachus, to whom, on the occasion of his visit to this island, my ex-reverend friend came officiating in the character of Mentor: how it happened, I do not exactly remember, but so it was, that notwithstanding my intimacy with the Mentor, I never saw the Telemachus. The case must have been, that Mentor must have been a considerable time in England before he deigned to visit my humble roof, if a garret in Lincoln's Inn may be so termed. The giddiness produced by the exalted vortex in which on his arrival he found himself whirled, kept out of his remembrance, I believe for some months, the little debt he owed to my father: and till matters were thus settled with the father, it was not natural he should feel disposed to pay a visit to the son, who at that time was all but unknown to him. The stay of the prince must, I think, have been but short. By whatsoever cause this shortness was produced, no dissatisfaction towards the Mentor in the breast either of the prince or of his royal uncle, could have had any part in it. A letter I remember seeing from the king to him, shortly after the return of the prince to Warsaw, concluded with these words—*Et dans tout ce que je vois en lui, je reconnois votre ouvrage.*

"In addition to the two situations above-mentioned, one of which, by his departure from Warsaw, the other by the departure of the prince from England, were become sinecures, one which I have not yet mentioned was far indeed from being so. From the day of his arrival in London to I believe the day of his death, which took place before that of the virtuous and unhappy king, scarce a post-day arrived in which he did not write a letter to the king; in short, he was in fact the minister, and more than the

plenipotentiary, of the king, to this court, in trust and effect, though not in name. In name he would have been, but it was a maxim with George the Third—and being so natural a one, I know not that in his instance it was a new one—not to receive as a diplomatic agent for doing business with him, and in this way on a footing savouring of equality, any subject of his own: the same maxim prevented, I remember, another old friend of mine from being received in form as agent from the free city of Hamburgh. As an expedient for producing the substance without the form, a Pole of the name of Burkarti was sent by the king, with the concurrence of the Senate, if that was necessary, in the character of resident to reside in this court, in which character he continued to reside for a considerable number of years, and I believe as long as he lived. I knew something of him. I used every now and then to see him. I remember dining with him on a summer's day, at a comfortable and pleasant apartment he had in a spacious mansion, occupied as a boarding-school by Johnson's friend, Elphinston, who published a book in such English as you see employed in French grammars, for the purpose of teaching Frenchmen how to pronounce English, written for the purpose of demonstrating, that it is an Englishman's bounden duty to write English exactly as he speaks it. But Elphinston was not Burkarti, nor in intellect would he have gained much by being so; not that he was at all the worse for this, but the better. It was for the express purpose of officiating in the character of a cipher that he was sent to this country and retained in it. In everything but bulk, in which he reminded one of a fat ox, he was a puppet, and Lind it was that moved the wires. Every now and then I used to see a letter from the king to his faithful, intelligent, and zealous agent. Once, I remember, at my friend's desire, in consequence of a sudden and imperative call to other occupations, I held the pen in his stead: the function was a flattering one to my young ambition. A pun I remember letting off gives some indication as to the time. The cabinet

squabbles, produced by the collision of two such hard and rough characters as Minister Pitt and Chancellor Thurlow, were matter of notoriety, and formed part and parcel of the history of the day. The account I gave of them was expressed by three words—“*Le chancelier chancele*,” and the truth of the intelligence was not long after demonstrated by the event. At the above-mentioned residence, economical as was necessarily the style of it, Lind was occasionally visited by foreign ministers and other persons of distinction. The only ones that I now recollect were the late Baron Masares, the public-spirited constitutionalist, and one of the most honest lawyers England ever saw; and Lord Chancellor Rosslyn, at that time Solicitor-general, both at the same time on the same evening. The deep bass voice and cold gravity of the crown lawyer, still dwell on my ear and memory. Some little conversation with him fell to my share. Not to any such honour as that of being present at his table: according to what I used to hear from those who had, my loss was not very considerable. The deportment of the master of the house used to be, according to those reports, more suitable to a funeral than a dinner: ice waited not for the dessert: it encompassed every course: favour me with a little salt, said somebody on one of these occasions to his neighbour; or, as Mr Godwin would have informed us, might have said: as for the Attic, it will enter, let us hope, with the bottles.

“This preëminent lawyer happened to furnish, within my observation, two exhibitions as strongly contrasted, perhaps, as ever were furnished by the same person in so short a space of time. The first time I saw him he was in black, with the sword stuck by his side, holding up the train of the then chancellor; but this is not one of the two I mean. Not long after this, attending in the Court of King’s Bench as a student, I saw him with a silk gown on his back making a motion with far more hesitation and distress than I ever witnessed on the part of the youngest and most obscure tyro. This was the first time of my seeing him in the character of a lawyer: the last

time was at the council-board. It must, I think, have been by Lind’s means that I enjoyed a privilege in which I had so few to share with me. I speak only from present inference; for I do not recollect that he himself was there. At that board, Franklin stood as the silent and necessarily defenceless butt of his eloquent invectives. No hesitation then: self and language were, in equal perfection, subjects of command. Fortunate was I beyond all probability in being present at so memorable a scene. Members of the board, nearer a dozen, I believe, than a score, sitting on the opposite sides of a long table. At the upper end, the Duke of Portland as president. Auditors, I question whether there were more than a dozen besides myself. Of the president’s chair, the back parallel to and not far distant from the fire: the chimney-piece projecting a foot or two from that side of the apartment formed a recess on each side. Alone in the recess, on the left hand of the president, stood Benjamin Franklin, in such position as not to be visible from the situation of the president, remaining the whole time like a rock in the same posture, his head resting on his left hand; and in that attitude abiding the pelting of the pitiless storm. If necessary, at the call of a subpoena, I could give some tolerable account of the materials, colour, and buttons of that coat which, I am ashamed to think, retarded, for such a length of time, not much less, I fear, than a week,—if not the cessation of hostilities, at any rate the conclusion of peace between so many mighty contending powers and their subject millions. Before the incident ever found its way into the public prints, I had it from a noble friend, who was present at the last exhibition of the important vestment as I was at the first. To return to Wedderburn. I was not more astonished at the brilliancy of his lightning, than astounded by the thunder that accompanied it. As he stood, the cushion lay on the council-table before him: his station was between the seats of two of the members on the side of the right hand of the Lord President. So narrow were the dimensions of this important justice-chamber; they were those of a private

drawing-room. I would not, for double the greatest fee the orator could on that occasion have received, been in the place of that cushion: the ear was stunned at every blow: he had been reading, perhaps, in that book in which the prince of Roman orators and rhetoric professors instructs his pupils how to make impression. To the instrument recommended, I think by Cicero, the floor being hard, and the cushion soft, he substituted the hand. Our late friend [Dr Parr]—considering whom I am now addressing, [Mr Barker,] I run no small risk in venturing the observation—seemed to have studied in the same school. Lest for making the desired impression psychological power should not suffice, he rather too often helped it out with physical, and the table groaned under the assault. The striking contrast between the early and the later exhibitions of the accomplished orator may afford an encouraging lesson to young men. I remember a similar, though not an equal, contrast in Lord Kenyon. I remember a similar and equal contrast in the fortification-loving Duke of Richmond, from whom, when occupying the place now occupied by Wellington, at the house from which I write, I had once the honour of a visit, which, according to a custom scarce ever infringed in my whole life, I left unreturned.

“When Lord Pigot’s conduct, in his capacity of Governor of Madras, became the subject of inquiry and accusation, as is shown in the history of the day, Lind, in his capacity of barrister, was applied to, to defend him; and accordingly did so in a quarto volume, for which he received, if I misrecollect not, the sum of £1000. This, I think, was the sum received by Lord Thurlow, when counsel, for the part he took, I do not exactly recollect which, in the great Douglas cause. This being a matter of a comparatively private nature, and for which such a rapidity was requisite as could not admit of any time for revision by a friend, I took no part in it, unless it were in the way of incidental conversation. His marriage took place at St Andrew’s, Holborn: name of the officiating clergyman, I believe, *Eton*; present, his eldest sister

May, and your humble servant, who, in the character of father for the occasion, gave the bride away. This, you will see, is tolerably good evidence, that there be nothing about me to render me, either in law incompetent, or in probability incredible. As to the time, the Register will show it: not so much as the year is at present in my remembrance. I question whether, since the time of my first seeing the lady, a twelvemonth had elapsed. Genealogical importance the ceremony had none; of political, it was not altogether destitute: no sooner had the event taken place, than the bridegroom sent advice of it to his royal master: the answer was, the grant of a life annuity of five hundred ducats, (the half of his,) in the event of her surviving him; and this annuity, as I had occasion to know, for I had some trouble with it, was paid for a number of years. The injured king’s finances being in a state less and less flourishing, I had every now and then to turn secretary in her name. Sometimes, I believe, it was to him that the letter was addressed: sometimes to his above-mentioned nephew, who, if I do not forget, had a few debentures in our Irish ton-tines, in which case it must have been in the first class, bearing date the year 1773. When the king died, the arrear was considerable. Letters, one or more, from the king to her on the occasion of the news of her husband’s death, I recollect seeing: they, or one of them, were written in English, in a style which could scarcely have been distinguished from an Englishman’s. In one of them, speaking of the pension, ‘I have fixed a pension upon you,’ was the expression, instead of settled a pension upon you, or granted a pension to you. During the marriage, she had a sufficient stock of acquaintance of visitors of her own sex to render her situation comfortable: some of them even belonging to persons of distinction. After his death, she took lodgings in Pall Mall: they followed her there, and the assortment was rather augmented than diminished. At length, resources failing, she quitted that situation, and retired to a creditable boarding-house. But in the meantime she

had received an assured, though smaller, provision from an annuity left her by a reverend divine, name forgotten, whom I never saw; my communication with her having suffered frequent interruptions by my own travels and other incidents. On her death, her small pecuniary remains fell, I forget how, into the hands of a gentleman of the name of Combe, whom till then I had never seen. He was, I believe, a man of some fashion. I think I remember hearing him called by the name,—a nick-name, of Count Combe. If so the circumstance is singular enough; for some years before, another man whom I knew, used, I am certain, to be distinguished by that nick-name,—a man who published a sort of romance, entitled the ‘Devil upon Two Sticks, in London,’ in imitation of the well-known French novel of that name. In her husband’s lifetime, and during her widowhood, a portrait of the above-mentioned prince had constantly hung over the drawing-room chimney-piece: some persons saw in it a resemblance to my brother, men of the same age. Mr Combe pressed it upon me, and it has since figured over one of my own chimney-pieces. Amongst her relics of better times, was a portrait of the King of Poland on the lid of a gold snuff-box, given by him to her husband. At that time, Prince Adam Czartoriski, a near relation of the king, son, I believe, or grandson of the Prince Czartoriski herein above-mentioned, happened to be in England. He was universally regarded as being about to have the management of the affairs of the newly truncated kingdom of Poland under the Emperor Alexander. He called upon me for the purpose of requesting my assistance in the business of codification for that country. I took the opportunity of getting the snuff-box, showing it him, and asking him whether he knew of anybody who would be disposed to give for it anything more than the value of the gold. After keeping it a few days, he returned it to me, saying, that there was nothing very particular either in the likeness or in the workmanship, and that resemblances, in different forms, of the unfortunate king were by no means scarce. I returned

it to Mr Combe, and what became either of the snuff-box, or the gentleman, I have never since heard.

“Now as to Mr Forster. The first time of my seeing him was in the year 1762, or thereabouts. I had at that time been living and keeping terms at Queen’s College, Oxford, of which college, while yet at Westminster School, I was entered, I believe, as early as the summer of 1759. I was removed thither early, I think it was in the year 1760; for paternal authority compelled me to hammer out and send in, as a candidate for admission into the customary academical collection of half lamentational, half congratulatory, rhythmical common-places, the subject of which was the loss of one king and the acquisition of another, a copy in sapphics, the first stanza of which figures in a whole-length portrait of me, in my academical dress, which, by an odd series of accidents, has fallen into your possession. The chambers I then occupied (for I changed my local situation in the college not long afterwards) were upon the two-pair-of-stairs’ floor, on the further corner of the inner quadrangle, on the right hand as you enter into it from the outer door. I was dressing to go down to dinner in the hall, at half an hour after twelve,—in those days the hour in that and most of the other colleges, though in some it was as early as eleven; when I heard a rap at my door,—went to it, opened it, and, to my no small confusion, (for my dress was scarcely adjusted, and my discarded shirt lay sprawling upon the floor,) when in came a grave and important-looking personage, in a Master-of-Arts gown, ushering in a smart and sprightly lady. The lady, who had never as yet seen my father, became afterwards his second wife. She was the widow of a Rev. Mr Abbot, who, having been a Fellow of Baliol College, Oxford, had, in the spiritual routine of preferment, migrated from a fellowship in that college, to a college living at Colchester. She was then his widow.

“The above was the first time of my seeing Mr Forster. The second time was in the company and at the house of Mr Lind. We visited and were visited.

Forster was at that time rector of a Baliol-college living, at Colchester. He had another and very different occupation—that of manufacturer of an Index to several volumes of the House-of-Commons' Journals, for which service his remuneration, if I do not misrecollect, amounted to £3000. His acquaintance with Lind was produced by an obvious cause—residence in the same society in the season of youth; his intimacy by conformity of opinion on the most important subjects. Forster was a man of a strong will, strong intellect, bold temperament, and excellent moral character, in every walk of private life; happy in wife and children, and, by his own behaviour towards them, well deserving so to be. At this time, the topic of subscription to the Thirty-nine Articles being upon the carpet in parliament and elsewhere, he had written and published a pamphlet in support of that institution. This advocate for orthodoxy was at the same time a much too open professor of Atheism. This was the only failing I ever saw in him. It could not but have operated as a bar to that advancement which, otherwise, his talents might have ensured. I had not many times seen him at Mr Lind's, when, in compliance with an invitation from him, I visited Colchester, and passed a week or two at his house. Of what passed at that visit, nothing determinate dwells on my recollection, except the circumstance, that this was the first time of my ever seeing Dr Parr. His situation at that time was that of master or usher to a school in that town. Mr Forster took me with him one day to pay him a short visit, place not recollected, except that no boys were visible at it. It served as the foundation of the acquaintance which afterwards took place between us; and this is all that I remember about it, except it be that one day we were conversing upon terms of intimacy and freedom, he brought it to my memory saying that, at that time, he little expected to find in me the sort of person he now beheld in me; for that, in my dress, there was something which bespoke a young man who would have been glad to be a fop,

had he been able. I do not think I ever saw him at Lind's. I must have seen him, I think, more than once at Romilly's, and thence afterwards at my own house. He was anxious to introduce me to the late Mr Fox, but, as I did not hear that Mr Fox had anything in particular to say to me, and I knew I had nothing in particular to say to Mr Fox, this state of things was with me, in that instance, as at all times it has been in every other, a sufficient reason for declining it. It was in the summer of, I think, the year 1804, that, in pursuance of a kind invitation from him, I went upon a little excursion, and passed a very agreeable week or thereabouts at his parsonage. Mr Koe, at present an eminent barrister at the Chancery Bar, then living with me as an amanuensis, accompanied me. We there found the Doctor, his first wife, and a very agreeable and intelligent young lady, his daughter, then unmarried; the other was not there, having for some time been married to Mr Wynne.

“During my stay at Hatton, we made several little excursions; one was to Guy's Cliff, the mansion of Mr Greathead, who, at that time, was among the personages placed at Verdun in a state of detention by Buonaparte; another was, I believe, to Warwick: of the castle, circumstances limited our view to what was visible from the road.

“As to Lind, that work of his which brought him into favour with Lord North and Lord Mansfield, has been already mentioned. When I began this letter, I had not received it back from a friend, to whom I had lent it. It bears date 1775. His design had originally embraced the whole of the acts of the parliament of that year, and eventually those of succeeding years. But the interest produced by those acts which laid the foundation of the American war absorbed all other interests. The plan of the argument he had from me. Upon his mentioning the American part of his design, his plan not being as yet formed, I told him I had written two or three pages on the subject, which, such as they were, he was welcome to do what he pleased with,—they were my own private thoughts,

without any view to publication. When he had made some little advance, my surprise was not small at finding that this page or two of scattered thoughts had been set in front of his work, and constituted the plan on which he was operating. They form pages 15 and 16 in the printed book.* Different parts of it fell incidentally under my revisal, and received additions and alterations, of which all memory has long

* "Lind on the Colonies," pp. 15, 16, (written by Mr Bentham) :—

"I. *As to the Point of Right.*

"1. As to the *crown* alone, what is the power with which the constitution invests that *branch* of the legislature over countries conquered, or otherwise acquired ?

"2. As to the *whole body* of the legislature, whether its operations can be restrained by any acts of the afore-named branch of it ?

"3. Again, as to the *whole body* of the legislature, whether on the particular point of taxation there be any other principle in the constitution to restrain its operations ?

"II. *As to the Point of Fact.*

"1. What were the privileges originally granted by the crown to the colonies ?

"2. What power preceding parliaments exercised over them ?

"When these questions are fairly discussed, and not before, we may venture to give our opinions.

"III. *On the Merits of the Proceedings of the last Parliament.*

"1. Whether they were consistent with the spirit of the constitution ?

"2. Whether they were consistent with the dictates of sound policy ?

"To enter on the two last subjects of inquiry before the other points are fully settled, would at least be preposterous. It would be to begin where we ought to end.

"If the power vested in the crown over conquered or acquired countries, be circumscribed within certain bounds, by certain acknowledged rules, all acts done in the exercise of that power, must be measured by those rules, on their conformity to which their validity will depend.

"If the acts done in the exercise of that power do not bind or restrain parliament, it is in vain to cite those acts. On this supposition, charters are useless parchments, because *ineffective*.

"If there be any principle in our constitution by which the Americans can claim an exemption from parliamentary taxation, then, too, charters will be found but useless parchments, because *unnecessary*.

"If there be no such principle, then allowing to charters their utmost force, the colonists can plead no exemption from thence, till they have shown it to be there either specified, or of necessity implied.

"If different interpretations be put on the same grants by the contending parties, we must then appeal to usage to decide between them.

"If the proceedings of the last parliament be questioned, we must exactly know the situation in which the preceding parliament had left it."

been lost. One thing there is, and no more, of which I have something like a specific recollection, which is the section that commences at page 128, and has for title, "Abstract of the Charters of Connecticut and Rhode Island." This I remember had more or less of mine in it: for aught I know, the whole; but neither time nor eyes allow of my attempting to draw a line anywhere.

"He would gladly have let me write on as long as I chose: he had a sort of epicurean *nonchalance* about him, the result of so many years he had been living in the *grand monde*. My opinions were at that time opposite to the American side. The turn they took was the result of the bad arguments by which I observed that side supported, no use being made of the only good one, viz. the impossibility of good government at such a distance, and the advantage of separation to the interest and happiness of both parties. The Declaration of Rights presented itself to my conception from the first, as what it has always continued to be, a hodge-podge of confusion and absurdity, in which the thing to be proved is all along taken for granted. Some hints to this effect were, I believe, given towards the close, in a note of my introduction to the Principles of Morals and Legislation.* I know not whether it was at that time, or some years after, that I made a dissection of it. The paper, I believe, was translated by M. Dumont, and made use of by him, in his edition of my work on Political Tactics, in the second volume, at the end of the list of Fallacies.† I speak of that paper now with the less reserve, the author of it (Jefferson) who took it for the main foundation of his glory, being now no more: a man whom, on other accounts, I hold in very high estimation, were it only on account of his having, by his patience and forbearance under a long continuance of the most galling attacks, established upon a sure basis the liberty of the press. Absurdity, if I do not misrecollect, went so far on that side as to

* See Works, vol. i. p. 154.

† The work used by Dumont was the Examination of the French Declaration of Rights, published in vol. ii. p. 490, of the works.

pretend that, in point of fact, they had all along been in a state of independence of the British Parliament, the contrary of which was proved so plainly by such a number of acts of parliament, which were produced.

“English lawyers who, being in the opposition, took, as a matter of course, their side,—took, if possible, a more palpably absurd course. Lord Camden, who saw that it would never do to pretend, in the teeth of the acts themselves, that parliament had never taken upon itself to exercise the power of legislation over the colonies, took a distinction between legislation and taxation. Legislation, he said, is one thing, taxation another: to legislate is to command: to tax is not to command; it is only to give money. For proof, he brought forward the words *give* and *grant*, which he had picked up in some act or acts of parliament, and, for aught I know at this moment, (for it is not worth looking for,) in all taxing acts, as if giving and granting other people's money by sovereign authority, sword in hand, were not taxing them. And even, supposing these words employed in all acts in which the money was given in large sums by general words, thereupon, after and in consequence of them, came out acts in volumes for prescribing the mode of collection, and imposing penalties on nonpayment, and so forth: acts, in none of which most assuredly were any such words as *give* and *grant* to be found. Little did I think at that time that I was destined to write, within fifteen or sixteen years thereafter, an address to the French Commonwealth, for the express purpose of engaging them, by arguments that applied to all mother countries, to emancipate their colonies.

“Biographers are not disinclined to receive and insert digressions: no, nor digression upon digression to any number of removes, any more than at the age of garrulity old men to furnish them. At this moment I am dictating, while disrobing for bed. In 1814, Mr Mill and I, (Mill, the historian of British India,) passed through Oxford in our way to Bath. I showed him the chambers in which I had been resident for two or

three years, after descending to them from the above-mentioned and above-situated. These second ones were on the ground-floor, on the right hand of the staircase, next on the left hand, as you go from the outer quadrangle to the staircase that leads to the former ones. Three motives concurred in producing this transition: a sum of two guineas, my aversion to solitude, and my fear of ghosts. This migration, in consideration of the two guineas that accompanied it, I kept from my father with as much solicitude as some persons would have felt for the concealment of a crime. Though a very affectionate father, he was, by a variety of infirmities, a very troublesome one. My fear of ghosts had been implanted in my mind from earliest infancy, by the too customary cultivators of that most noxious weed, domestic servants.

“Amongst Lind's acquaintances was Governor Johnstone. Johnstone, he told me, was to such a degree delighted with the Fragment on Government, that he used to go about with it in his pocket, boring people with it. This was not long before his departure for the revolted colonies, as one of the three commissioners for sparing the lives of between two and three millions of human beings on condition of universal penitence. Hearing of this, and having an ardent desire for seeing a little of the world, and more particularly of the political world, it seemed to me a good opportunity for taking my chance of doing so in the capacity of that commissioner's secretary. Lind, at my desire, mentioned this to Johnstone. The answer was, much regret at not having heard of it sooner, he being engaged to Ferguson,* the Scotch professor, author of Roman history, and some book on morals; I forget the title of it. The examples of Greece and Rome had not been lost upon Ferguson. During the voyage, he was urgent with the commissioners, as I learnt afterwards from good government authority, to put to death man, woman, and child, as many as they could catch, as an inducement

* Ferguson wrote “Institutes of Moral Philosophy,” and “The Principles of Moral and Political Science.”

to the rest to take the benefit of the proffered grace.

“JEREMY BENTHAM.”

2d February, 1827.

Inserendum in Memoirs of Lind and Forster :—

“As Lord Mansfield had sentenced Peter Anee to a year’s hard labour, for an anti-christian publication, and his patronage of Bishop Warburton, who had the reputation of being an atheist, was well known, I had a curiosity to know the state of the Chief-Justice’s opinions on that subject. I accordingly desired Lind to inform me. The answer was, unbelief. I put the same question to David Martin; his answer was the same. David Martin was a man who was admitted to familiarity, being the painter who painted the portrait from whence the first of the engravings of his lordship was taken, and who had been sent by him to engage an engraver for that purpose to Paris, where engravers’ work, by a capital artist, scarcely cost the employer a fourth part of what it did in England. The engraver he had engaged failing him before the work was half done, he completed it himself. Martin and I lived together in Paris about six weeks. Our acquaintance commenced in the packet-boat between Dover and Calais.”

I resume the thread of Bentham’s conversations :—

“Lind’s style did not satisfy me. There was a want of accuracy. I used to correct for him, and he assented to all my corrections. Nothing that anybody else wrote ever satisfied me; nothing that I ever wrote at first satisfied me: but I never made an alteration without having a reason for it.

“Burkarti, who was here as the nominal representative of Poland, had no head, or an ox’s head; so that Lind did all the business. There was a momentary hope of inducing the British Government to interfere against the partition of Poland; but George III. had a great contempt for the people, and enjoyed the triumph of despotism.

“He was despotic from the beginning, yet the opposition to him in the early

part of his reign originated solely from the disappointment of displaced men—thence the *North Briton*. When Wilkes accused the king’s speech of having lies in it, it made a great sensation. Wilkes was an object of perfect abhorrence to me, and I abhorred him for his opposition to the king. *The North Briton* excited a prodigious sensation; forty-five was written on all the walls; forty-five had obscured every other member of the numeration table. For years it was the principal topic of conversation. Then came the prosecution; then Lord Sandwich turning against him. Gross things respecting women were picked out to find matter for impeachment. Lord Sandwich got the name of Jerry Twitcher, from the ‘*Beggar’s Opera*,’ for his impeacher. Then Wilkes was outlawed, and when he appeared in court, Lord Mansfield, the grave and the wise, said he could not consider him in court, because he was not in custody. No! the lawyer could not believe that to be a fact which he himself saw with his own eyes.

“John Wilkes was the *bête noire* of the king. The situation, not to speak of the power of mind, of Henry the Second, was that of George the Third; that which Thomas-à-Becket was to Henry the Second, John Wilkes, bating the difference between the saint and the sinner, was to George the Third. ‘Target Martin’ obtained his illustrious title by his willingness to be shot at for the love of his sovereign. So valorous was his loyalty, that he was willing to act in the tragedy in which George the Third should be the Old Man of the Mountain; and he (Martin) the missionary who might have the honour of sacrificing the redoubtable John Wilkes.

“Of those days, not to speak of the present, the moral sense existed in that form which sanctioned the destruction of the life of man—not only without the depression, but even with the exaltation of the reputation of the destroyer. Destroy with premeditation the life of a single man—the name of an assassin and the infamy attached to that name, over and above the corporal punishment, awaits you. Destroy two lives, one of them being your own, and consent obtained for the

performance of the operation on the other, that consent being obtained by fear of ignominy, you are either acquitted, or, if found guilty, you acquire, in the shape of the perpetual reputation of courage, an indemnity for a temporary loss of liberty in one of the many senses in which that fascinating appellative is employed. A target was set up : pistols were procured, a regular course was taken of that species of gymnastic exercise, the material of which is composed of the implements just mentioned : when proficiency was regarded as complete, an invitation in appropriate form was transmitted from the intended sacrificer to the intended victim to join in the experiment desired to be made of the degree at which the proficiency had arrived : what followed I do not at this moment recollect.

“ In idleness-time, I engaged myself in classifying duels and duellists. Duelling may be *checked* without any alteration of the system of procedure—it can only be put down by the introduction of a natural system of procedure.

“ Duelling should be prevented by legislation. The challenge is the inchoate offence—the battle the completed one. Duelling does a vast deal more mischief than people are aware of. It is the instrument of secret tyranny to a prodigious amount.

“ When death ensues, compensation should at all events be made to the relatives of the deceased. The law of England shuts out this redress, so that the wrong-doer may inflict any portion of injury upon the victim of the wrong. If there be no family to be compensated the fine should go to a fund for the use of helpless litigants. In this country there is a strange tenderness in fining—and the fines are sometimes so small as to leave a positive premium for offence. In costs, judges care nothing about pecuniary inflictions—but pecuniary inflictions, as an appropriate instrument of punishment, are little thought of.

“ But to return to John Wilkes.

“ I never saw him but once. I was a determined aristocrat in his time—a prodigious admirer of Lord Mansfield, and of the king. There was a horrible outcry against Wilkes for turning the

king's ministers out of office ; and I said, Why should the king not discharge his servants at will, like any other person ? When there was a clamour against Scotchmen, I asked why Scotchmen were worse than other people ? I remember being much struck with the locution, which was new to the English language, being imitated from the French, “ Born and educated in this country, I glory in the name of Briton.” It was a great saving of words.

“ I was, however, a great reformist ; but never suspected that the people in power were against reform. I supposed they only wanted to know what was good in order to embrace it.”

Bentham visited Paris in 1770. He had scarcely an acquaintance there. Dr Fordyce introduced him to some chemist in France who was nobody, and who paid little attention to the recommendation. He found there Martin the painter,—who was getting the portrait of Lord Mansfield, already alluded to, executed,—to whom he lent about 1000 francs to assist him in his difficulties. Martin introduced him to a man called Rose, who had been secretary to the Pretender, who had given him a pension on which he lived in tolerable comfort, and was enabled to entertain his friends.

Bentham had even then a sort of reputation ; and a Mr Godefroy gave him several books, because he had heard that he was a “ philosopher,” a title which greeted him then for the first time. There was then an old man, with a long beard, who went about Paris, under the name of “ *Le bon Dieu*,” making a trade of his blasphemy. Martin painted him, and offered to paint Bentham, who refused the attention proffered, as he could not afford to pay the import duty into England. Bentham's dining-place was a *guinguette*, where, for a shilling, there was an abundant and varied supply of food. It was in the Rue Tournon. After dinner, the party walked in the gardens of the Luxembourg. The *guinguette* has shared the ordinary fate of mortality. Bentham went to look for his old haunt when he revisited Paris a few years before his death : not a trace remained of it.

"Of travelled men, I afterwards made acquaintance with Mr Forster, who had been chaplain to the ambassador at Petersburg. He was a sort of atheist parson, and conversed on all subjects with great levity. Russian manners suited the indolence of his nature. It was an incident in my life, to talk with a man who had lived in diplomatic circles, and had travelled so far. He introduced me to many Russians, among whom were two brothers (Tateschevs,) whose fondness for each other was perfectly infantine, and whose disputes about the merits of Montesquieu were very amusing. The discussions turned upon fundamental principles, which were fundamental nonsense: it was a perpetual trifling about words to which they could give no definite, and each attached a different, meaning; such as, 'honour,' 'virtue,' 'fear': 'honour' being a love of reputation, or of as much power as a man could

get; and 'virtue' being admiration of a republican government."

A memorandum, dated November 24th, 177—, is as follows:—

"*Fils Jeremy dinoit chez nous; après diner*, we opened the portmanteau belonging to the late Mr John Forster, deceased, in which there was nothing more than a clergyman's gown in a cloth, some old printed books, of little or no value, some MS. sermons, and a bundle in a brown paper, sealed, upon which was a piece of white paper, endorsed with his own hand as follows:—

"'Reflections on the rise and fall of the ancient Republics, and 2 other manuscripts, all composed by me, but printed in the name of Edward Wortley Montague, Esq.

"'JNO. FORSTER.'

"And, after the above examination, I locked up the portmanteau again with the contents thereof as before."

CHAPTER IV.

1770—1780. ÆT. 22—32.

Earliest Printed Composition: Defence of Lord Mansfield.—Extracts from Commonplace Book.—Preparation of Critical Elements of Jurisprudence.—Publication of Fragment on Government.—Studies, and Habit of Life at the Bar.—Autobiography of Constantia Philips.—Retrospect of the Growth of Opinions.—View of the Hard Labour Bill.—Correspondence with Public Men in France: D'Alembert.—Notices of Eminent Men: Mansfield, Camden, Barrington, Speaker Abbot.—Further Extracts from Commonplace Book.

THE first compositions of Bentham that ever appeared in print, were two letters in the *Gazetteer*, written when he was about twenty-three years old, and signed Ireneus, from Irene, (Peace.) Of one of these letters he said, "It was a portrait of my character and my love of fairness. Lord Mansfield had been attacked. I was deluded by his eloquence, and fascinated by his courtesy of character. There was an ignorant story of the hanging of forty judges in Alfred's time, taken from one of the most trumpery books that ever was written, namely the 'Mirror of Justices;' and it had been suggested that Lord Mansfield might very properly be made the forty-first. I showed there was no evidence for the story. The letter was answered; but I

had the last word, and it was a good-humoured word. Some will say it was better written than anything I write now. I had not then invented any part of my new lingo. I was at that time about twenty-one years old."

Talking of these letters to Bentham, not long before his death, he expressed a desire to see these his first attempts; "but who knows where to find them?" said he. "In the museum they are not. Are they in the king's library? Possibly—there is always a possibility—they may be at the Home-office. Newspapers ought to be there from the beginning of time. I should like to ask myself now, if they were well written; for, in those days, composition was inconceivably difficult. I often com-

menced a sentence which I could not complete. I began to write fragments on blotting paper, and left them to be filled thereafter, in happier vein. By hard labour, I subjugated difficulties; and my example will show what hard labour will accomplish. I should be glad to see my earliest placed side by side with the latest composition of my life. I used to put scraps into drawers, so that I could tumble them over and over; to marginalize and make notes on cards, which I could shuffle about: but, at last, I took to arranging my thoughts. I had been in the habit of shifting my papers from shelf to shelf; and well remember, when at Bowood, where I stayed two or three months at a time, that Lord Shelburne took Minister Pitt to see the strange way in which I worked, and arranged the many details of a complicated subject."

I have found many of these *disjecta membra* among his papers, and they show the extraordinary attention and care which he gave to his early writings: thoughts expressed imperfectly and confusedly, are often worked out into sentences of great simplicity and beauty. Whatever opinion may be formed of the later compositions of Bentham, it has never been denied that the style of his first productions is most remarkable for its terseness, appropriateness, and polish. In after life, he sacrificed everything to precision: he thought the first duty of a writer was to leave no doubt of his meaning: he invented words, many of them admirable ones, whenever he found none existing in the language which exactly represented the idea he wished to convey; such as, maximize, minimize, international, forthcomingness, codification, and others, upon which he would hardly have ventured in his less experienced days. His last composition, (the Constitutional Code), is certainly a remarkable contrast to the Fragment on Government, in every characteristic (except intellectual power) by which one production can be distinguished from another. Many of Bentham's youthful compositions are headed Crit. Jer. Crim. meaning Jeremy's Criticisms on the Criminal Laws; and they

consist, principally, of severe remarks on the various contradictory and absurd decisions respecting felony and other offences. These papers were generally placed in a drawer, turned over, criticized, corrected, altered, and amended, from time to time; then marginalized, and afterwards set in order.

His early notes frequently contain the germs of the opinions he afterwards elaborated in his greater works. Thus, in 1774, I find this sentence, which, in fact, forms the groundwork of his Theory of Morals and Legislation:—

"There is no man that doth a wrong for the wrong's sake, but thereby to purchase himself profit or pleasure." This grand truth was not hidden from Lord Bacon. His was a mind to be struck with the beauty of truth wherever it met him, but his was not an age when to pursue it to the utmost was either practicable or safe. "*Cum vitia prosint, peccat qui recte facit*: if vices were upon the whole matter profitable, the virtuous man would be the sinner."

His usage was to keep every separate branch of a topic on a separate paper, which he could thus conveniently dispose of in its fit place."

His rules for composition he afterwards condensed in the following verses: Nomography; 1828, February 3d.

Eadem Natura, eadem Nomenclatura.

RULE.

"For thoughts the same, the same the words should be;

Where differ thoughts, words different let us see."

REASON.

"Sameness of thought, sameness of words attests;

Take that half verse, then add who will what rests."

I find, scattered over fragments of blotting paper, sentences almost illegible, but which record the thought of the moment in some emphatic form. I will give a few examples:—

"When will men cease beholding in Almighty Benevolence a cruel tyrant, who (to no assignable end) commands them to be wretched?"

"Why should the names of Religion and Morality be employed for purposes by which, if accomplished, Religion and Morality must suffer?"

"Men ought to be cautious ere they

represent Religion to be that noxious thing which magistrates should proscribe."

"The grand catastrophe of our sacred history is itself an act of the most illustrious suicide."

SUNDRY MEMORANDA OF BENTHAM,
MADE IN 1773-4:—

Prejugés in favour of Antiquity.

"It is singular that the persons who are most loud in magnifying the pretended advantage in point of wisdom of ancient over modern times, are the very same who are the most loud in proclaiming the superiority in the same respect of old men above young ones. What has governed them in both cases seems to have been the prejudice of names: it is certain that if there be some reasons why the old should have advantage over the young, there are at least the same reasons for times that are called modern having it over times that are called ancient. There are more; for decrepitude as applied to persons is real: as applied to times it is imaginary. Men, as they acquire experience, lose the faculties that might enable them to turn it to account: it is not so with times: the stock of wisdom acquired by ages is a stock transmitted through a vast number of generations, from men in the perfection of their faculties to others also in the perfection of their faculties: the stock of knowledge transmitted from one period of a man's life to another period of the same man's life is a stock from which, after a certain period, large defalcations are every minute making by the scythe of Time."

Vulgar Errors—Political.

1. "To make consummate characters, either in depravity or in virtue.

2. "To attribute every motion of public men to political motives; to attribute every action to ends and purposes which belong to them as politicians, and none to those which belong to them as men.

3. "To attribute every instance of supposed misconduct in public men to

the depravity of the heart; and none to the imbecility of the head.

4. "To suppose everything *illegal*, which appears to them *inexpedient*."

Punishment.—Origin of the Vindictive Principle.

"Men, private men, punish because they hate. They think they see (for their own parts) just cause for themselves to punish, where they think they see just cause to hate. Lawgivers, like themselves, are men. They think they see just cause for lawgivers to punish, where they think they see just cause for lawgivers to hate. The law, they imagine, does so too. The more they hate, the more they wish to punish. Crimes, they are told, they ought to hate. Crimes it is made a matter of merit to them to hate. Crimes it is a matter of merit, of more than merit—of necessity, to punish. They are to hate them—they are to punish them. 'Tis their hating makes them wish to punish. How then should they punish but *as* they hate? They do so. The more they are disposed to hate, the more they are disposed to punish. What wonder? To ordinary apprehensions no mischief from this is visible. Yet more: no mischief in many cases exists, since in many cases it is true that the cause of hatred and the demand for punishment increase together. The cause which makes hatred rise is the reason which makes punishment expedient. If of punishment for any act there be more than is needful, it is either because there is too much of it where the act wants some; or there is some of it where the act wants none—'What harm in a man's suffering who does an act I hate? What harm in the man's suffering whom I hate? When a man suffers whom I hate, where confessedly he ought to suffer, what matter whether it be a little less or a little more?' Such is the reasoning of the multitude of men.

"How should they punish but as they hate? What other standard than their hatred should they assume? 'Tis the clearest standard, at least at any given time, when it is applied: though at dif

ferent times its decisions are so apt to vary. What standard clearer? To know whether they hate in common—to know which of two crimes it is they hate most—what have they but to consult their feelings? What standard should they take? Even this or none. For to this hour, except here and there a disjointed sentence, no other has been laid down. If here and there others have indeed been set up, these have not themselves been rectified by the standard of utility—they clash. Nobody has yet attempted to mark out to each its limits, and mould them into one harmonious body.”

Pensées.

“There is no pestilence in a state like a zeal for religion, independent of (as contradistinguished from) morality.”

“As to people at large, I want little of their company, and much of their esteem.”

“Morality may well say of religion—Wherever it is not for me, it is against me.”

“No man appears to himself so bad as he is. No man acts against conscience in all that he acts amiss.”

“Prejudice and imposture always seek obscurity.”

“What is called legal style is the most execrable way of putting words together that ever was devised.”

“Ladies, like birds of paradise, have no legs; it is all *feet* with them.”

“Invention is learning digested: quotation is learning vomited up raw.”

“The constitutions of the Society of Arts, and of many other societies, are penned with conciseness and perspicuity. How happens this? Either there are no lawyers concerned, or their right-hand forgets her cunning. They forget that they are lawyers, and, seduced by example, become gentlemen, scholars, and philosophers.”

Conciseness is an apter term than *brevity* for a desirable property of style—conciseness is *relative* brevity.”

“A monarch is a sort of a creature that unites the properties of the Grand Lama and the Pope of Rome, not to mention

an odd attribute or two that remain unclaimed by any other created being. Like the first of these, he is immortal: like the last infallible: as if this were not enough, he is omnipresent: no perfection that is imaginable is wanting to this god of our idolatry. Look at him well; turn him round and round; about and about; examine him limb by limb: a more accomplished deity at all points never trod upon dry ground.

“The plain truth of the matter would have made a poor figure in comparison of this description. It has pretensions to wit, and it might hope for the profits of servility. No king of the ordinary stuff that kings are made of could help being enchanted at the person pictured in this flattering mirror. An unpopular king might find a consolation for the contempt of his personal character in the adulation attached to his political character, which is that of his office. A wise king would turn with loathing from the incense: but a weak one might reward it.

“Greedy of incense without caring to deserve it: fond of any principle of awe that could serve to screen his person against attack—regardless whether it rooted there, glad to behold it planted by however ignoble hands; content to draw upon his office for a perpetual tribute of respect, without ever thinking of deserving it. Such is the condition of a king!”

*Digest of the Law premature before
Locke and Helvetius.*

“A digest of the Laws is a work that could not have been executed with advantage before Locke and Helvetius had written: the first establishing a test of perspicuity for ideas; the latter establishing a standard of rectitude for actions. The idea annexed to a word is a perspicuous one, when the simple ideas included under it are assignable. This is what we owe to Locke. A sort of action is a right one, when the tendency of it is to augment the mass of happiness in the community. This is what we are indebted for to Helvetius.

“The matter of the Law is to be

governed by Helvetius. For the form and expression of it we must resort to Locke.

"From Locke it must receive the ruling principles of its form—from Helvetius of its matter. |

"By the principles laid down by Locke it must be governed, inasmuch as it is a discourse; by those of Helvetius, inasmuch as it is a discourse from authority, predicting punishment for some modes of conduct, and reward for others."

Principles of Education.

"Education is a series of conduct directed to an end: before any directions can properly be given for the education of any person, the end of his education must be settled.

"The common end of every person's education is Happiness.

"Happiness depends—1st, In the possession of the instruments; 2ndly, In the right method of applying them. The Happiness that can be proposed for a subject of education is either, 1stly, That stock that is obtainable from the stock of instruments man in appearance is born to the possession of: or that further stock that is to be hoped for from the acquisition of more.

"This divides education into—1stly, Defensive; 2dly, Active. The instruments productive of happiness are either—1st, Inherent; or, 2dly, External.

"Inherent, again, are either—1st, *Of the body*; 2dly, *Of the mind*. The most generally useful education is the defensive: the active never can be the education of the many. The active leads to preëminence: every man cannot be preëminent over every other.

"The only active plan of education the state ought to encourage, is that which tends no otherwise to increase the happiness of the individual than by increasing, at the same time, the happiness of the community.

"This is done by improving the arts and sciences which produce the instruments of happiness, or directing them in their application.

"This, too, is the only plan of active education the preceptor ought to pro-

mote by his instructions. The arts of supplanting and competition (where the advancement of one man is the depression of another) ought to be noticed in no other view than that of pointing out the means of frustrating them: they are of that sort of pernicious or unprofitable secrets, which it is right to teach only to make them inefficacious.

"A state rendered less happy, made up of individuals rendered more happy by the same circumstances, is a curious contradiction. This, however, is a notion advanced by Dr Johnson, in his Tour to Scotland, where he speaks of emigration."

Vicinage of a Jury.

"If *Vicinage* is at all a matter to be regarded in a Jury, it should be vicinage to the witnesses, not to the parties. Vicinage to the witnesses whose character for veracity is at stake; upon whose veracity depends the truth of the relation: not vicinage to the parties upon whose veracity nothing depends, since nothing is taken from their relation."

I find, in the handwriting of Bentham's father, (dated 1773,) "Verses by a young gentleman of Oxford, on the report of a design to make barracks for recruits of the building in St James's Park, adjoining to the garden of Jeremiah Bentham, Esq., in which is erected a temple to the memory of Milton, whose house it was, and where he lived when he wrote his immortal poem of *Paradise Lost*."

"Peace to these shades! where once our Milton trod—

Where yet his spirit reigns, a guardian god!

Far off let Mars his crimson standard rear—

Divine poetic peace inhabits here.

Where hireling troops, with wanton license stray,
Milton's free spirit would disdain to stay.

Hence then, stern god! and other mansions choose:
Be these reserved for Milton and the Muse!"

No doubt Bentham was the author of these lines. The adjoining of the barracks to his hermitage troubled him to the end of his days. His studies were sometimes interrupted by the cries of the soldiers who were flogged in the barrack-yard; and I have often heard

him speak with the utmost indignation and horror of that most unnecessary penalty, whose infliction was so frequently called to his mind by the sufferings of its victims.

From Bentham's *Commonplace Book* for 1774-5, I copy the passages that follow:—

"Oh, Britain! Oh, my country! the object of my waking and my sleeping thoughts! whose love is my first labour and greatest joy—passing the love of woman, thou shalt bear me witness against these misruling men.

"I cannot buy, nor ever will I sell my countrymen. My pretensions to their favour are founded not on promises, but on past endeavours,—not on the having defended the popular side of a question for fat fees, but on the sacrifice of years of the prime of life—from the first dawns of reflection to the present hour—to the neglect of the graces which adorn a private station; deaf to the calls of present interest, and to all the temptations of a lucrative profession."

Bolingbroke's Idea of a Patriot King.

"I opened it with eagerness,—I shut it with disappointment.

"I expected to have found something worthy of a great name: I found nothing but general maxims for the distribution of favours, and for exercising the functions of his executive character.

"Lord Bolingbroke's patriot king was a king that would take Lord Bolingbroke into favour, and discard his successful rival, whom he hated.

"Barristers are so called (a man of spleen might say) à *Barrando*, from barring against reformation the entrances of the law. It would be as good an etymology as many a one of Lord Coke's, and I believe entirely in his taste."

Public Virtue in the Body of the People.

"The great body of the people can have no other virtue but zeal, no other corruption but indifference. It is impossible they can be zealous against their own political interests; but they may be so

immersed in their private interests as to neglect them.

"The zeal of the people, which is the virtue of the people, does not depend upon the wisdom with which it chooses its objects: a people may be virtuous, that is, clamorous for very detrimental measures, so as it does but think them right. A people may be virtuous, though warmly attached to one who is nothing less than a friend to his country, so as they do but think him so. If two people present themselves, both alike destitute of pretensions in other respects, but one a favourer, the other an opposer of the court, (so that no particular event have happened to indispose them against the line of conduct pursued by an opposition;) mind which they choose: if they choose the latter, it cannot be said that they want virtue."

Emblem for the System of Codes—Subject for a Medallion.

"A king crowned advancing from his throne, standing upon a platform raised above the level, upon steps; in his left hand a large bushy plant, the branches entangled and almost withered; in his right hand a twig, plucked off from the plant, which he is presenting to the foremost person of a mixed crowd, distinguished by the instrument of their several occupations, bending one knee as he is receiving it.

"The motto, 'Discreta revirescerint.'"

Abuse and Use.—Both equally effects.

"The abuse of the thing is as much the effect of it as the use is. When a thing has various effects, some good and some bad, it is not by calling the bad by the name of abuses that will make them the less its effects than they were before. An abuse is a bad effect: now a bad effect is a thing as much its effect as a good one: the one has as much claim to consideration as the other. Whatever the subject be, the balance of the one should never be struck till after the deduction of the other; whatever the subject be, the business is to bring both bad and good effects equally into account; nor

are there any better founded claims to merit for blinking one any more than the other. The true merit of the speculator consists in blinking neither; but, if he makes any difference, in taking most pains to place those in a clear light that are most in danger to be overlooked.

"An institution is not to be judged of from its abuses—understand this of its abuses singly; but these, as well as its benefits have an equal claim to be taken into account; for if these are more numerous and incontestible than those, it is from these rather than from those that its character ought to be reported."

King Henry V. committed by Chief-Justice Gascoigne—A Subject for a Picture.

"Has it ever been proposed by the Society of Arts to offer a premium for the best historical painting upon the subject of the committment of Henry the Fifth, when Prince of Wales, by the Lord Chief-Justice, for striking him; the prize-picture to be presented to the Court of King's Bench?"

"Your Lordship, let it say, wants no memento, but it may serve to remind your successors, that the disclaimer of all respect of person, and an intrepid integrity, is at once the best road to the reverence of the people, and to the favour of an enlightened Prince.

"The scene should be just after the blow has been given. The Chief-Justice should be seen in the attitude of giving directions to the officers who have just laid hold on the Prince at the instant he is about to repeat the stroke."

Dic aliquid et quod tuum.

"There are two classes of writers to whom the public is very little obliged: those who pretend to say something, and in effect say nothing; and those who say something, but say not what they think.

"He who thinks, and thinks for himself, will always have a claim to thanks; it is no matter whether it be right or wrong, so as it be explicit. If it is right, it will serve as a guide to direct: if wrong, as a beacon to warn.

"The needle directs as well to the South Pole, from whence it flies, as to the North which it pursues.

"The paradoxes of Hobbes and Mandeville (at which divines affect to be so much scandalized) were of service: they contained many original and bold truths, mixed with an alloy of falsehood, which succeeding writers, profiting by that share of light which these had cast upon the subject, have been enabled to separate."

Conduct of the Understanding in Composing.

"Having found some word, however improper, to fix the idea, (upon the paper,) you may then turn it about and play round it at your leisure. Like a block of wood, which, when you have fixed in a vice, you may plane and polish at your leisure; but if you think to keep it in your hands all the time, it may slip through your fingers."

Pensées.

"The people is my Cæsar: I appeal from the present Cæsar to Cæsar better informed."

"Would you appear acutated by generous passion? be so.—You need then but show yourself as you are."

"I would have the dearest friend I have to know, that his interests, if they come in competition with that of the public, are as nothing to me. Thus I will serve my friends—thus would I be served by them."

"Has a man talents? he owes them to his country in every way in which they can be serviceable."

"Independency is not in the fortune, but the mind."

"The very mitre upon Warburton's head might have reminded that right reverend person, that Civil Society *does* afford rewards. Let us not therefore say, that a mitre is no reward, but let us wish that it may never be worse bestowed."

Prejugés.—Lawyers.

"The charity of some lawyers is boundless. If they can find no reason for a law, they presume that it had once a good one; and because it had once a good one, that it has so still.

"Thus far no great harm is done; but they are apt sometimes to go further,

'therefore,' say they, 'ought it to be retained.' It would be strange if they stopped at the conclusion which is the most specious and the least exceptionable."

Perspicuity.

"The manner in which the composition of laws is in this respect performed, is such as would seem to indicate it to have been performed, either in derision or insult of the mind's weakness, or in the infinite presumption of its strength.

"Yet prolixity, any more than redundancy, whatever certain persons may find it convenient to suppose, is no more the necessary attribute of the science of jurisprudence, than that of any other science.

"If there had been anything more to be gotten in physic and divinity by writing nonsense in long sentences—long sentences would, without doubt, have been written by doctors and divines."

"Prolixity may be where redundancy is not. Prolixity may arise not only from the multifarious insertion of unnecessary articles, but from the conservation of too many necessary ones in a sentence; as a workman may be overladen not only with rubbish, which is of no use for him to carry, but with materials the most useful and necessary, when heaped up in loads too heavy for him at once. The point is therefore to distribute the materials of the several divisions of the fabric into parcels that may be portable without fatigue.

"There is a limit to the lifting powers of each man, beyond which all attempts only charge him with a burthen to him immoveable.

"There is in the like manner a limit to the grasping power of man's apprehension, beyond which if you add article to article, the whole shrinks from under his utmost efforts. In no science is this limit more necessary to be consulted, in none has it been so utterly unattended to."

Pensées.

"In England the clergy are scorpions which sting us. On the continent they are dragons which devour us."

"To trace errors to their source is to refute them."

"It is rare to meet with a man disinterested upon reflection."

"'Tis here in matters of the law as it is in Roman Catholic countries in matters of religion: to keep clear of mistakes, you must be warned at every turn not to believe your own eyes."

"Voluminousness is of itself a poison to perspicuity."

"Falsehood is the high-road to (self) contradiction."

"The effect of praise is to dispose to imitation."

"All the industry of lawyers has been hitherto employed to prevent the grounds of law being canvassed, almost as anxiously as that of divines to prevent the grounds of religion from being examined."

"In respect of notoriety, what is wanted is, that people may know the legal consequences of a point of conduct, *before*, not *after*, they have pursued it."

"It is one thing for the law to be *notorious* to one looking from the station of a judge: and another to one looking from that of a common man."

"It is as impossible for a lawyer to wish men out of litigation, as for a physician to wish them in health. No man (that is of the ordinary race of men) wishes others to be at their ease that he may starve."

"There is no way in which the state can be prejudiced unless some individual suffer."

"The use of words is not less to fix ideas for a man himself, than to communicate them to others. A man scarce knows he has the *idea* till he has the word."

"Happy the people of whom one hears but little."

Fictions of Law.

"Fictions are mighty pretty things. Locke admires them; the author of the Commentaries adores them; most lawyers are, even yet, well pleased with them: with what reason let us see.

"What is a fiction? A falsehood; but in this there is nothing to distinguish the peculiarity of its nature.—By

whom invented? By judges.—On what occasion? On the occasion of their pronouncing a judicial decision.—For what purpose? One may conceive two—either that of doing in a roundabout way what they might do in a direct way, or that of doing in a roundabout way what they had no right to do in any way at all.

“The natural effect of praising a thing which has been done once, is, that it shall be done again; that those in whose way it lies to do it, shall do it; that those in whose way it lies to see it done, shall wish to see it; at least that they shall be *content* to see it done.

Arrest for debt in the first instance is lawful; certainly at this time of day, it is useful. I believe it. For all this the first judge who had the effrontery to remand a debtor brought before him on pretence of a criminal charge, whereas there was no criminal charge, should have gone to gaol himself, and not the debtor.

“Fictions are mighty pretty things, and like other pretty things, not the less esteemed, I suppose, because the manufactory of them is broken up. The manufactory of them is certainly broken up; and its greatest admirers would look, I trust, once and again before they attempted to revive it.

“Perhaps if pressed they might be brought to acknowledge that nothing in the shape of fiction would deserve, any more than it would meet, with approbation at this time of day: 'tis a pity but they had said as much of them of their own accord.”

Terms familiar falsely supposed to be understood.

“What we are continually talking of, merely from our having been continually talking of it, we imagine we understand; so close a union has habit connected between words and things, that we take one for the other; when we have words in our ears we imagine we have ideas in our minds. When an unusual word presents itself, we challenge it; we examine it ourselves to see whether we have a clear idea to annex to it; but when a word that we are familiar with comes

across us, we let it pass under favour of old acquaintance.

“The long acquaintance we have had with it makes us take for granted we have searched it already; we deal by it, in consequence, as the custom-house officers in certain countries, who, having once set their seal upon a packet, so long as they see, or think they see that seal upon it, reasonably enough suppose themselves dispensed with from visiting it anew.”

Terræ Filius.

“The idea of patriotism, too liable to be worshipped in the nation at large, and which some unhappy conjunctures have of late years so effectually conspired to obscure, is nowhere devoted to more open contempt than at Oxford. The genius of the place is a compound of orthodoxy and corruption: corruption, to give it force in the world; and orthodoxy, to cover its advances from the eyes of the people, and from the scrutiny of the party's conscience.

“Be silent, secret, discreet, accommodating; crush silent innovations, join yourself with alacrity to those who would stop up the inlet at which light may enter: save them the fatigue of examining projects which distress, gall, and stimulate their indolence, and the vexation of being obliged to adopt measures which oppose a bar to their cupidity. Insult not weakness, and ignorance, and mediocrity, with the demonstrations of wisdom; and lest you should be tempted, bar its entrance into your minds. For six days let the mammon of unrighteousness, of intrigue, of avidity of fraud, of insincerity, be in your hearts; and on the seventh the gospel of righteousness, or what is given you instead of righteousness, in your ears.

“Men there are who live in the habitual practice of what themselves call perjury, and in the flagitious tyranny of forcing it upon others; who rise to broken vows as to their breakfast, and sleep on them as their pillow.”

Pensées.

“Suppose the topic were, the obligation which day labourers are under to

work upon the roads, from the improvement of which, having neither horses nor carriages, it is said they reap no benefit.

"A company are discoursing on this law; and they all agree in censuring it:—

" 'It is hard,' says one.

" 'It is unequal,' says another.

" 'It is inequitable,' says a third.

" 'It is most hard and unjust,' says a fourth.

" 'It is oppressive,' says a fifth.

" 'It is tyrannical,' says a sixth.

" 'It is infamous,' says a seventh.

" 'It is flagitious,' says an eighth.

" 'The man who framed it is a tyrant,' says a ninth.

" 'Some unfeeling landlord—a blood-sucker of the poor,' says a tenth.

" 'The case is not very different with the majority who passed it,' says an eleventh.

" 'When you are about it, you may go a little higher,' says a twelfth.

" 'These are your Right Reverend Fathers in God,' says a thirteenth.

" No, indeed; as to them, you are mistaken, since it is a miracle if they ever trouble their heads, of their own accord, about anything, good or bad, except when it is to stand up for the violation of the rights of conscience.

" 'This is your pious king,' says a fourteenth.

" 'We might as well send for one from Morocco,' says a fifteenth."

" Scandal is to the Moral Sanction, what Perjury is to the Political."

" France may have philosophers. The world is witness if she have not philosophers. But it is England only that can have patriots, for a patriot is a philosopher in action."

" If there was a language peculiar to innocence, it could be so only for one moment, for the next it would be usurped by guilt."

" Nothing can be more flattering to the indolent, the disingenuous, the domineering spirit which lurks more or less in all men, than a practice for uniting in one's own person the character of advocate and judge. Socrates had his Dæmon."

" Let us profit from the most irrational and detestable of all systems, nor spurn a pearl though we find it in a dunghill."

Subjects for Premiums.

1. " Essay on the Measures to be kept in Legislation, in all cases between Private and Public Interest."

2. " Essay on the best method of reducing the burthen upon the Nation from sinecures and unnecessary offices, consistently with a due attention to the rights of the present patrons and possessors; with a due examination of the question how far, and whether to bad or good effect, the balance of power would be affected by such a scheme. None but a good minister will have the courage to endure such a discussion as this."

3. " The best collection of examples of virtue adapted to the different classes of mankind."

4. " The best Moral Catechism for the use of Schools."

5. " The best Legal Catechism for the use of Schools."

6. " History of Criminal Law in this Country, divided according to the several crimes. A compilation, or rather, as the degrees of merit in the execution of it could not be very various, and the compilation would be too voluminous to engage a number of writers upon hazard, —An Essay delineating the plan, and indicating the sources from whence the materials are to be obtained."

7. " A new Treatise on a new species of Brachygraphy, or a System of Rules for the Conversion of Long Sentences into Short Ones, for the Legislative Style."

Title for a Book.

" The Homage of Foreigners to the British Constitution."

Education.

1. *Moral Department.*—" Inspire a hatred for conquerors, and a contempt for their admirers. Show the difference between conquest by an individual, and conquest by a nation. Conquest by an

individual, especially made in the ancient or modern Eastern manner, is robbery in the gross."

2. *Scientific*.—"Elements of all sciences upon playing cards. The contents to be made the subject of conversation."

3. *Moral*.—"Inspire a general habit of applauding or condemning actions according to their *general* utility. Professional affections to be exploded. Natural affections to be encouraged, keeping clear of inhospitality. Family affections to be stationed in their proper place, viz. subordinate to natural ones."

4. "Inspire a contempt for ancient philosophy, or philosophy of words."

"The question between Christians and those who are not so, is a question of evidence. It is as unreasonable to make a difference of opinion on this question, one way or another, a matter of reproach, as the question, whether such a will was or was not made."

The following letter from Bentham to his father, indicates the nature of his occupations, and of his literary projects, in 1776.

BENTHAM TO HIS FATHER.

"HONOURED SIR,—I am now at work upon my capital work, I mean, 'The Critical Elements of Jurisprudence.'* I am not now, as heretofore, barely collecting materials, but putting it into the form in which I propose that it should stand. I am working upon a plan which will enable me to detach a part and publish it separate from the rest. The part that I am now upon is the law of Personal Injuries: from thence I shall proceed to the law relative to such acts as are Injuries to property and reputation. This will include the whole of the Criminal Law relative to such offences as have determinate Individuals for their object. This part may be characterized

by the name of the Law relative to Private Wrongs. The remainder, in that case, will come under the Law relative to Public Wrongs; but a much clearer and more natural line will be drawn between the offences that respectively come under those divisions, than the technical mode of considering the subject would admit of Blackstone's drawing. Previous to these details will come that part of the work which contains the general principles by which the execution of those details is governed. Of this preliminary part the plan is pretty well settled, and the materials in good part collected.

"By what I have seen and learned concerning Samst work, I doubt not his doing great things in geometry. The rogue is pressing me so, I must be done; I have sent him upon the mare, thinking this would be a good opportunity of his having a couple of rides.

"I am, Dear Sir, yours most dutifully and affectionately,

(Signed) "JERRY BENTHAM.

Fetcham, 1st Oct. 1776."

When Bentham published the "Fragment on Government," in 1776, it was his earnest desire not to be known as the author: he gives [1822] the following account of his father's making the fact known:—

"The secret which well-grounded diffidence, in conjunction with personal ambition, might for I know not what length of time have kept inviolate, received from paternal weakness, a premature disclosure. I had been designed by him for the situation now occupied by the Lord of Doubts, (Lord Eldon.) To afford me a prospect of it, and a relish for it, upon the publication of Lord Clarendon's Memoirs of his own Life, he lost no time in putting the work into my hands." But the influence of Clarendon was superseded in Bentham's mind by that of Teresa Constantia Philips, whose Memoirs had just made their appearance, and to which references have

* When the book was printed in 1780, (it was not published till 1789,) he changed its name to "An Introduction to the Principles of Morals and Legislation." It is in vol. i. of the Works.

† His brother, afterwards Sir Samuel Bentham.

already been made. "They were," he said, "originally delivered out through a wicket in the door of a residence which, some years afterwards, became my father's, and is now mine.* It was the first, and not the least effective, in the train of causes in which the works by which my name is most known had their origin.

"For some years before the publication of the *Fragment*, I had been regarded in the light of a lost child: despair had succeeded to the fond hopes which something of prematurity in my progress had inspired. On my being called to the bar, I found a cause or two at nurse for me: my first thought was how to put them to death; and the endeavours were not, I believe, altogether without success. Not long after, a case was brought to me for my opinion. I ransacked all the codes. My opinion was right, according to the codes; but it was wrong, according to a manuscript unseen by me, and inaccessible to me; a MS. containing the report of I know not what opinion, said to have been delivered before I was born, and locked up, as usual, for the purpose of being kept back or produced according as occasion served. This incident, the forerunner of so many others, added its fuel to the flame which *Constantia* had lighted up. I went to the bar as the bear to the stake; I went astray this way and that way. The region of chemistry, amongst other foreign fields, was one in which I wandered. I incurred the anathema which, without my knowledge, had been pronounced against me, and against all who dared presume to accompany me or follow me in my wayward course. I walked erect in all those regions in which prostration of understanding and will, had, with such successful suit, and such illustriously consecrated authority, been prescribed.

"My optics were to such a degree distorted, that, to my eyes, the imperfections of the phantom rule of action

seemed only errors calling for an easy remedy. I had not learned how far they served as sources of wealth, power, and factitious dignity. I had contracted—oh, horrible! that unnatural, and, at that time, almost unexampled appetite—the love of innovation.

"In my anxiety to soothe the paternal sufferings, ere yet the '*Fragment on Government*' had issued from the press, I could not conceal the little attempt I had made to raise myself out of that obscurity which, while on myself it sat lightly, was to him so unendurable. He would thereby see that my mind had not been totally abstracted from the country so rich in gold mines, though so unknown in the golden age. I saw the use of secrecy: I solicited at his hands, not without earnestness, a correspondent promise, and obtained it. My father, it may well be imagined, was not among the last to whom the sensation produced by it was perceptible. One day, as I was at my chambers, a neighbour and friend of his, whom I had never before seen, called to offer me his congratulations. Struck all of a heap with the unexpected charge, penetrated with that abhorrence for falsehood which I had imbibed from earliest infancy, I sought refuge in the arms of evasion and found none. I remember it as if it had been yesterday. My countenance could not but have betrayed the strongest symptoms of the confusion under which I laboured: the countenance of a guilty criminal charged on the sudden with the blackest crime could not have betrayed more. Blushing in the female sex is not so liable to be misconstrued. Blushing in the male sex is too frequently and constantly regarded as a proof of guiltiness: it is a proof of sensibility and fear of disrepute, by whatever incident called forth; but, except in so far as fear of being thought guilty is proof of guilt, it affords no proof of the existence of the object, by the idea of which the apprehension is excited.

"I remember the time when my almost infant face used to burn when, in the carriage with my father and mother, I passed a wall on which were any of

* See, in the *Rationale of Evidence*, an allusion to this work, and a quotation from the portion bearing on *Legal Abuses*, Works, vol. vii. p. 219.

those scrawls which, in those days, were so frequent, and in these more polished days so rare—scrawls of which it was surely no fault of mine that the import was unknown to me. The only instance in which I recollect a degree of inflammation comparable to that experienced by me when taxed with having given birth to the literary foundling, was one in which I not only had not done any such scandalous act as the joke imputed to me, but could not for a moment have entertained any serious belief that I either then was or could have been suspected of it. Finding that my cheeks had been regarded as affording conclusive evidence of what my tongue had endeavoured to conceal; understanding, at the same time, from the tormentor, that direct evidence of the affirmative had been received by him from a quarter superior to all suspicion—a quarter that was suspicion-proof—I ceased kicking against the pricks, and received, as composedly as I could, the unwelcome compliment. The eagerness to obtain some little alleviation under so long a course of suffering, had, in an unguarded moment, it was but too plain, shut the door of my father's memory against the plighted promise.

“Of repentance for this weakness, there was soon but too much cause: no sooner had the images of the illustrious reported father vanished—no sooner was it known that the bantling was the offspring of somebody known to nobody, than the rate of sale underwent a sensible diminution. More than a few months, or perhaps weeks, had, indeed, not elapsed, when I understood from the bookseller that no copies of the work were in his warehouse; somehow or other, however, no direct application for a fresh edition was at the same time made; and afterwards I heard, though still by accident, that a parcel, which, by accident, had been mislaid, had been found. Besides the obscurity of the author, one cause, perhaps, of the non-desire, may be found in the reimpression which the work had received in Dublin. Reimpression is a circumstance which, having in those days been

stamped with the name of piracy, has, since the union of the two kingdoms, been at an end.

“It seems not easy to say in what degree the currency received by the Letters of Junius may have been indebted to that secrecy, which, after such multiplied and still renewed endeavours to penetrate into it, has still remained impenetrable. That, under equal concealment, the Fragment should have received a degree of currency comparable to that of the Letters of Junius, is not to be thought of; but it might have received a currency, not a quarter, not perhaps a tenth, so great as Junius' Letters, and still have received one much more extensive than it has actually experienced.”

What follows was written in 1822, and exhibits the strange contrast between the state of mind of the young enthusiast communicating to the world his great discovery, and that of the experienced old man who had discovered that the causes of evil lie deeply rooted in our social organization.

“The reader cannot have gone through the first sentence in the Fragment without having seen the passion that gave rise to it—the passion for improvement: I mean in those shapes in particular in which the lot of mankind is meliorated by it—a passion which has been rekindled by recent incidents, and is not likely to be extinguished but with life: a passion for improvement in every line; but more particularly in the most important of all lines, the line of government. At an age a few months before or after seven years, the first embers of it were kindled by Telemachus. By an early pamphlet of Priestley's, the date of which has fled from my recollection, light was added to the warmth. In the phrase, ‘the greatest happiness of the greatest number,’ I then saw delineated, for the first time, a plain as well as a true standard for whatever is right or wrong, useful, useless, or mischievous in human conduct, whether in the field of morals or of politics. It was, I think, in my twenty-second year, that I saw in it the foundation of what seemed to me the

only correct and instructive encyclopædical arrangement—a map or chart of the field of thought and action: it is the same map which stands in the work intituled ‘Chrestomathia.’ I felt the sensation of Archimedes when I committed the first rough and imperfect outline to one side of a half-sheet of paper; which, not entirely useless, served, I hope, to help to kindle a more substantial flame.

“No sooner had my farthing candle been taken out of the bushel, than I looked for the descent of torches to it from the highest regions: my imagination presented to my view torches descending in crowds to borrow its fire. Of disposition, in the midst of such excellence, with which, as all pens and all voices concurred in assuring me, I was so abundantly encompassed, I could not suspect any deficiency; for, clearing away the imperfections which still remained in Government, all that was wanting was a few of those lights which, I could not tell how, had happened to take my mind for their first visiting-place.

“Nothing could be more opposite to the truth. Instead of the universal sympathy, of which I had expected to see these graspings after improvement productive in those higher regions, universal antipathy—antipathy on the part of all parties—was the result: proofs of the fact came in upon me one after another; but sixty years had rolled over my head before I had attained to anything like a clear perception of the cause. On the other hand, while everything of mine, which I had ever set any value on myself, remained an object of antipathy, I found myself in those same elevated regions, though not so early as I had expected, an object of sympathy. All this while, fruits so opposite in their nature—the bitter and the sweet—had in my talents, such as they were, the common cause: the antipathy in the direction I had hitherto given to the exercise of them: the sympathy in the direction I was supposed capable of giving to them, and upon the application of appropriate and not often-failing inducements, disposed, like other men, to give to them.

“Now, for some years past, all inconsistencies, all surprises, have vanished: everything that has served to make the field of politics a labyrinth, has vanished. A clue to the interior of the labyrinth has been found: it is the principle of self-preference. Man, from the very constitution of his nature, prefers his own happiness to that of all other sensitive beings put together: but for this self-preference, the species could not have had existence. Place the chief care of each man in any other breast or breasts than his own, (the case of infancy and other cases of intrinsic helplessness excepted,) a few years, not to say a few months or weeks, would suffice to sweep the whole species from the earth. By this position, neither the tenderest sympathy, nor anything that commonly goes by the name of disinterestedness, improper and deceptive as the appellation is, is denied. *Peregrinus Proteus*, the man whom Lucian saw burning himself alive, though not altogether without reluctance, in the eyes of an admiring multitude, and without any anticipation of a hereafter, was no exception to it. It was interest, self-regarding interest, that set fire to this so extraordinary a funeral pile. Yes; and interest there is in every human breast for every *motive*, for every desire, for every pain and pleasure. Be it ever so feeble, no pain or pleasure but, under favourable circumstances, as Aaron’s serpent swallowed up all other serpents, is capable of swallowing up all other pains and pleasures,—the interest belonging to all other interests: no pain, no pleasure so weak, but, under favourable circumstances, may have magnitude enough in the mind to eclipse all other pains, as well as all other pleasures; strength enough to close the eyelids of the mind against all other pains, as well as all other pleasures.

“The pleasure of reputation had, for some time, obtained exclusive possession of the mind of Proteus: it had shut the doors, not only against all future contingent pleasures, but against the pain of burning; or, to speak more properly, of suffocation. The self-devoting burial

sacrifices of Hindostan belong not to this head : they are the effects of much more complicated causes, in the composition of which, as in that of most human evils, what is called religion, occupies a principal place.

“ If self-preference has place in every human breast, then, if rulers are men, so must it have in every ruling breast. Government has, accordingly, under every form comprehending laws and institutions, had for its object the greatest happiness, not of those over whom, but of those by whom, it has been exercised ; the interest not of the many, but of the few, or even of the one, has been the prevalent interest ; and to that interest all others have been, at all times, sacrificed. To these few, or this one, depredation has everywhere been the grand object, oppression a subsidiary one : where, to the purpose of depredation, oppression has sufficed ; oppression, as being the cheaper instrument, has been employed alone : where the aid of corruption has been necessary, the aid of it, notwithstanding the expense of it, has been called in ; and what has been lost in quantity has thus been gained in stability.

“ In a government in which a representation of the People, or a shadow of one, has place ; of the matter of good, in all its shapes—money, power, factitious dignity—that portion which is at the disposal of the monarch operates upon the whole of that body, in the character of matter of corruptive influence. It operates of itself ; and, without need of so much as a single act that can be called an act of corruption, suffices to the production of the effect. It operates upon all parties, and with influence which never has been, and never can be, resisted. All parties are, in fact, at all times, resolvable into two : that which is in possession, and that which is in expectancy, of the sweets of government. Between the two, there is always the semblance of a difference ; for the party which, being out of office, acts against office with its abuses, cannot act against it without acting to an extent more or less considerable for the People. There is, therefore, always the semblance of a

difference ; but with regard to the People's interests, there is never anything more than a semblance.

“ This state of things is of the essence of mixed monarchy.

“ By reform is meant, or at least in it is included, abolition of corruptive influence. All those who see, in the matter and fruit of corruptive influence, the object of their desires, are, therefore, whether in possession or expectancy, alike enemies to reform in every shape. Improvement, in so far as applied to political power, to the quantity of it, or the distribution of it, is but another word for *reform* ; is but reform under another name : they are, therefore, alike enemies to improvement—to improvement in every such shape. But when, in any shape, improvement is brought to view and advocated, it is naturally advocated upon right and proper principles. The all-comprehensive and all-directing principle, the greatest-happiness principle, is, in some shape or other, in some point of view or other, brought forward. But of this fountain of all political as well as of all moral good, the water is an object of horror, to all who are engaged in the war of politics ; the sound or the sight of it is to them that which the touch of the salted holy water is to the unclean spirits ; to the unclean spirits on both sides : and at the bottom, no less than at the top of the world of politics, all spirits that move in it are unclean. From this field of universal depravity issues, at all times, a loud and indefatigable cry of excellence. The world of politics is, by the acknowledgment of both parties, divided into two opposite regions ; the world of major, and the world of minor purity. Between the two hypotheses, the only difference is, that where the one party places the major, the other places the minor excellence. At the summit of both, high in the region of the clouds, in the portrait drawn by both, sits royal excellence ; underneath both, in the regions of depravity, lie, or grovel, the lower orders : these, by an all-benevolent, all-just, and all-wise God, (blessed be his name !) having been made for the use of the higher, have this, and no other title to their regard.

"Such being the fashionable picture, the British-constitution picture of the field of politics, what is the true one?"

"What there is of purity in the mixture, is to be found, if not absolutely at the bottom, much nearer to it than at the top; what there is of corruption rises to the top: if the lower orders have been called the dregs of the population, the higher may, by a much clearer title, be termed the scum of it.

"The world that is, and the world that is to come, are painted by the same hands on the same plan, and for the same purposes. God—archangels, and angels—devils. God and the king have sitten for each other; members of Right Honourable House for Archangels; members of Honourable House for Angels; Devils, all without doors, who, to the rest of hierarchy so constituted, are matter of contempt. An *Angel*, is he anything but a messenger? Members of the Honourable House, are they not the People's messengers, sent by the People; or, what is better, by God or Archangels to represent them? And can anything be more in course than that Angels should ripen into Archangels? A *Devil*, is he anything but an accuser? A *Prophet*, was he anything but a man who, on occasion, could speak out?

'*Tutto il mondo è fatto come nostra famiglia*'—was it not the discovery made by Harlequin?"

The "Fragment on Government" was seen by nobody before it was published. Five hundred copies of it were printed. It was ascribed to many of the great men of the day: to Lord Mansfield, Lord Camden, and Lord Ashburton. It was the means of introducing Bentham to Lord Shelburne; but it brought no profit, whatever it may have brought of fame. It was not, however, the only attack upon Blackstone written by Bentham. He wrote "Castrations to the Comment on the Commentaries; being the Third Chapter of the Second Book of that work published, as it might have been;" but, apprehensive of prosecution, the work was never printed. The latter work is a bitter animadversion on Blackstone, principally on account of his defence of the Jewish law. Bent-

ham introduces the volume with a declaration that he will never answer any inquiries as to the authorship. He justifies Burke for refusing, though sorely pressed, to declare whether or not he wrote the Letters of Junius. He lays it down as a rule, that there are only two cases where the public has a right to call upon an anonymous author to produce himself. First, where he is accused of being the magnifier of his own works; and, second, where he depreciates the reputation of another by the allegation of specific facts:—in the first case, from a regard to his own honour; in the second, out of regard to the justice due to others. He denies, in all other cases, the right of any man to inquire of any other man whether he be responsible for an anonymous book, and especially while our libel laws exist as they are. He asserts that an author is entitled to presuppose malevolence on the part of such an inquirer, and to answer the inquirer thus:—"Do you think if I were such a villain (as you would call me) to write this book, that I would be such a fool as to tell you so, in order to give you, and those who think with you, the pleasure of seeing me punished?"

The "Fragment on Government" appears to have called down upon Bentham not a few anathemas. His opinions, religious as well as political, were violently attacked, and much of the ribaldry of the day was attributed to the unknown author of the Fragment. Among other books, "The White Bull" was laid at his door: speaking of which, on one occasion, he said to me, "Come, now, I'll make to you a confession as long as my arm; so accommodate your phiz to gravity. Know you Voltaire's squibs called *L'Evangile du Jour*? If you do not, it is better you had known them. There was one called *Le Taureau blanc*. I proposed the translation to Lind. Lind was so lazy that I undertook it merely for the pleasure of translating it. There was a coarseness, a want of refinement, of tact, in Lind's style that displeased me. The tale is a sort of romance, the scene of which lies in Egypt. I fancy I have a copy of the book; and if you can get a dispensation you shall have it.

The White Bull is brought into contact with Apis. The Witch of Endor, the Serpent who was the devil, are among the *dramatis personæ*. For weeks it filled me with ecstasy. They meet with my namesake the prophet Jeremy, after which they were turned into Magpies, and went on talking as if nothing had happened to them: a miracle for no purpose in the world. It used to convulse me with laughter. It is an admirable thing. There was Mambres, with his long beard, *toujours faisant* his reflections. I drew it out as a piece of original history of great value for correcting erroneous chronology. Jonah's whale was also an important personage. The Critical Review noticed it, and said it had all the wit and pungency of Voltaire. I had not courage to send Voltaire a copy. He would have invited me to Ferney had I done so. It was the goodness of the style of this book that induced Hinsley to offer me work as a translator: but the book did not sell. A man of the name of Franklin, who was translating Voltaire, took the book off the booksellers' hands."

It appears, at one time, to have been Bentham's intention to publish an answer to those who had accused him of being the *author* of the White Bull. But he abandoned that intention. As his views, however, on the complicated question of the rights and duties of anonymous authorship are ingeniously put forward, I deem them worthy of being preserved.

"I have given too much offence to many well-disposed persons, not to expect to be charged with offences. The industry ordinary upon these occasions, has raked up an accusation against me. It is now about——years ago, as I observe by the title-page, that an obscure *jeu d'esprit* made its appearance, under the title of 'The White Bull,' attributed to Mr Voltaire; a translation,* with a preface by the translator. I shall not wonder to find myself charged, by the zeal of these —— persons, with every

book, published within a certain time, that happens to be obnoxious and to have no owner. With respect to this publication in particular, I am happy enough to be able to plead not guilty, and to say, with truth, that I am not the author. I have read it, however, not altogether without amusement; but mixed, here and there, with sentiments of which my accusers would not fail, I suppose, to make an earnest, pompous, and pathetic display. I might here launch out into a grief of griefs: nothing were more easy. But what sentiments of piety I feel, I choose rather to demonstrate by less equivocal marks than a strain of declamation, which can tend only to bring into notice an obscure piece of Grub Street manufacture, which, hitherto, neither has had, nor, if the author will excuse my saying so, deserves to have, any regard. My humble, but assiduous, labours, which I hope will not cease but with my life, I desire to be engaged in the service of my country. This is the piety of which it is important to mankind to find proofs in their neighbours. The other sort is between God and me; of which it were idle and useless for any man to demand a public account of me, or for me to give it. For my opinions, I refer to such writings as are mine; for the effects and tendency of these opinions, to my life and actions. If these gentlemen have aught to object to either the one or the other, let them produce it to the public, if they think it decent to trouble the public about a person so little worth its notice. So that it be to the public, that I may know and answer it; far from complaining, I shall thank them, and will waive every advantage the law would give me.

"As to publications, all I shall say I have said already. They may compliment me with all the produce of Pater-noster Row, ere I shall take any further notice: there is neither end to it nor use."

Of the uncomfortable state of his mind while living in Lincoln's Inn, Bentham gives the following account:—

"I never pleaded in public. I have just opened a bill two or three times, saying a few words for form. When I had obtained my father's leave to give plead

* Critical Review, vol. xxxviii. (1774) where this translation, titled, "The White Bull, an Oriental History, from an Ancient Syrian MS., communicated by M. Voltaire, *cum notis editoris et variorum*," is favourably contrasted with another translation.

ing up, I heard that the bills were admired. My father was always out of spirits for my want of success.

"I was, indeed, grossly ignorant. Instead of pursuing any sound studies, or reading any modern books of law, I was set to read old trash of the seventeenth century; and I looked *up* to the huge mountain of law in despair. I can now look *down* upon it from the heights of utility.

"Chemistry somewhat consoled me. I spent half-a-guinea on a quantity of phials, and hid them in a closet, in which I surreptitiously made a hole to let in a little light. But mine was truly a miserable life. I had been taken notice of by the great, when a little boy at Westminster School; for I was an object of praise from the earliest time of which I have any recollection. *That* filled me with ambition. But I met with all sorts of rebukes and disappointments till I was asked to Bowood."

In his Commonplace Book, for 1776, I find many passages worthy of preservation:—

Revenue Prosecutions.

"Prosecutions for offences against laws relating to the Customs and Excise are often, it seems, carried on in the Crown-office.

"They are very frequent: at the same time, what might appear extraordinary till accounted for, scarce one or two in the course of a year are brought to trial.

"A certain connexion that there is in this case, between interest and power, will sufficiently account for this as for all other phenomena that are observable relating to the execution of the laws.

"It is the interest of those who happen to have a power correspondent to that interest, that prosecutions should be commenced: accordingly they are commenced in numbers; but it is the interest of the same persons that such prosecutions should not be pushed on to punishment, but be compounded: accordingly they are compounded.

"It is a very small proportion that the number of the offences that are detected, bears to the number of those that escape unpunished; and it is not every

detection, perhaps, that is accompanied with proof sufficient to support a prosecution. When, however, by good fortune a prosecution is commenced, the first thing the defendant always does, is to petition the commissioners to be permitted to compound. The petition is almost always granted; so far granted at least, as that the defendant is referred to the solicitor of the office. The solicitor is always compassionate, and the delinquent cannot but be grateful. A 'bill of costs' is made out by the solicitor. The ordinary fees taken by solicitors in penal prosecutions, are just double those taken by attorneys in civil actions. The defendant has too much magnanimity to enter into a minute and invidious inquiry; whether every little charge is warranted by the rigid rule of custom, is an inquiry the defendant's magnanimity seems unwilling to enter into; and his generosity indicates the propriety of a proper present.

"By this happy arrangement, all parties (that is, all private parties) are satisfied. The delinquent receives a silent squeeze from a palm his gratitude has softened, instead of being crushed by the rough hand of open justice. His official friend enjoys that purest of satisfactions which results from the godlike function of forgiving injuries: a satisfaction the freer from all alloy, in that the said injuries are not his own.

"All this is admirable; but how fares it with the public all this while? and what becomes of the benefit of example? and of what use is this sum of secret torture to those who are under temptation to offend, but whom the spectacle of punishment might deter?

"Thus happy then is the harmony in this branch of law between public and private interest.

"The interest of the public is, that punishment be known to be inflicted; and, therefore, that when there is occasion it *be* inflicted, in order that delinquencies may be few. The interest of those who act in this matter for the public, is, that delinquencies may be many; and lest they should not be many, that the punishment that happens to be incurred for them, should, upon certain

conditions, be as little as may be, and that little not be known.

"To this interest, as things stand at present, is joined the power. Of this power, I know not whether this man or that man makes an undue profit; but I know, as a child of this world, he is unwise in his generation if he *does not*.

"The matters of fact taken from J. F. Abbot, at 2, Q. S. P., Wednesday, May, 1775.

Employment for Pauper Manufacturers.

"The great evil manufacturers are liable to, is that of a temporary stagnation of trade, which leaves vast numbers at a time without employment, and without subsistence. For a remedy, I propose public works to be set on foot in the neighbourhood of manufacturing towns: to be carried on by none but manufacturers out of employment. For example, digging of canals, deepening of harbours, making of roads, building of fortifications.

"The kind of work must be such as requires no skill, because the workmen will be set to it without preparation.

"The pay must be less than what they can earn by their manufacture, or else they would quit their manufacture. None should be employed about it, but manufacturers out of employment; because it is for their relief that it is designed. When applying to be employed in it, they should therefore be required to produce a certificate of their being manufacturers of such a manufacture, having been so for such a time. When thus confined to them, their pay may be something higher than that of common labourers, as their earnings at their manufactures are generally much greater than those of common labourers. The national or the county fund might make good the difference.

"The parishes where the manufactures are, might well contribute a certain proportion of the charge, as such an establishment would be a great relief to the Poor-rates.

Law—an affair of pain and pleasure.

"If law did not concern pains and

pleasures, it would be a very idle business—a business in no way superior in dignity, and much inferior in amusement, to dominoes or push-pin.

"It does, however, concern pain and pleasure. Pain and pleasure await each motion of its will. This, however, lawyers are wonderfully disposed to forget: it never seems to have entered into the heads of some, and it is this inattention that is the source of all their absurdities. Hence their quaint reasoning and ridiculous conundrums.

Truth—in books.

"Of the merits of a work of which truth is the object, one cannot have an adequate idea, or a perfect relish, without some acquaintance with the errors against which it is levelled, and which it is calculated to displace. With respect to others, the apparent merit of such a work will be apt to be in an inverse proportion to the real. The better it answers its purpose, of making an abstruse subject plain, the more apt it will be to appear to have nothing in it that is extraordinary.

"An observation that seems to contain nothing more than what every one knew already, shall turn volumes of specious and formidable sophistry into waste-paper. The same book may succeed ill with different sets of people for opposite reasons; by the ignorant, who have no opinions about the matter, it may be thought lightly of, as containing nothing that is extraordinary; by the false learned, who have prejudices they cannot bear to have questioned, it may be condemned as paradoxical, for not squaring with these prejudices."

"In 1777 I translated the first of two volumes of the last of Marmontel's novels, dull and insipid, and it fell and was forgotten. It was put into my hands by Elmsley of the Strand. I said I was proud as well as poor. He offered three guineas a sheet. I engaged for it. I grew tired long before I had done; but forty guineas was to me a most important sum, though I was exceedingly capricious about my style. The second volume of Marmontel was translated by a parson—

a Presbyterian parson of the name of Nixby. He was, as I said, no better than a Scotsman : and I confess, I think my volume the best of the two."

At this time, Bentham was frequently visited by his father, to encourage him in his literary pursuits. In turning over the pages of his father's diary, I read to him the following memoranda, and have added to them the observations to which they gave rise :—

"December 7th, 1777.—*Au matin*, at son Jeremy's chambers, perusing his new work proposed to be entitled 'The Policy of Punishment.' Paid him his expenses for standing godfather to Mr Wise's eldest daughter."

— "This was part of the 'Rationale of Punishment,' published by Dumont."

"1778, January 23.—Called *chez fils J.*, when he showed me the heads or division of his work."

— "Poor *fils* Jeremy! how I was tormented! I went on very slowly in my father's conception; but it was the result of dejection of spirits. I was feeling and picking my way—getting the better of prejudice and nonsense—making a little bit of discovery here—another there—and endeavouring to put the little bits together."

Bentham's View of the Hard Labour Bill, alluded to in the extracts which follow, was published in 1778: it brought him into correspondence with Mr Eden, the author of the bill, who was also the author of the preface which Bentham said he admired beyond anything he ever read on the subject of legal polity. Mr Eden defends himself in his letters to Bentham for employing the phrase, "not disposed to propose or promote novelties," (which Bentham attacked as "the *wisdom-of-ancestors* fallacy,") by saying, "he merely meant to disavow that busy interference with established systems, which, except on occasions of necessity, like the present, is oftener productive of confusion than benefit,"—an unsatisfactory defence, since everyone, who profits by an abuse, denies that his own case is the "occasion of necessity." Justice Blackstone, in acknowledging the receipt of a copy of the work, calls it "ingenious;" adding, that "some of

the observations in the 'View' had already occurred to the patrons of the intended bill, and many more are well deserving their attention."

"March 15.—*Fils* Jerry about putting to press his 'Observations on Mr Eden's Bill.'"

"26th.—*Au matin*, went to *fils* Jeremy's chambers, settling the preface to his 'Observations on the Hard Labour Bill.'"

— "This was my constant obstruction, depriving me of free agency."

"28th.—*Fils* Jeremy *dinoit chez nous*, and showed me Mr W. Eden's answer to his letter about the preface to the Hard Labour Bill proposed to be published by him."

— "Eden and Judge Blackstone were together the authors of this bill. I worked them to a jelly. I thought what was so interesting to me was interesting to all the world; but nobody cared at all about it."

"Eden's letter was very cold and civil. He was a commissioner to make peace with the Americans, or rather to forgive them; but they would not be forgiven."

"April 5th.—*Chez fils* Jeremy, when he gave me six copies of his book to send to some of the judges by Thomas."

— "In these matters I had no option. It was pushing, pushing, pushing; none of them took any notice of the book."

"November 19.—*Chez fils* Jeremy L. F., when he told me he had gone half-way towards composing his 'Code of Laws.'"

— "A misconception. He had not understood my answers."

In 1779, I observe an entry:—"April 19th. Called on son Jeremy, and gave him, towards paying his amanuensis, £5, 5s."

— "Pinched as I was at this time for money, I had a strange aversion to accounts, coupled with perfect economy. I never kept money accounts: I was always thinking of legislation and chemistry. It is not common for non-account-keepers to be as I was, rigid economists. Two of the happiest dinners I ever made in my life were with my brother on five pennyworth of mutton at Lincoln's Inn. I used to distil

my water for experiments on the hob. The tea-kettle was always the third person in our conversation. We talked of all sorts of schemes. One was to send some sort of present to the House of Representatives which was to explode. I thought the Americans used sadly stupid arguments, and that there was no better reason for their breaking out than for the breaking out of any other part of the country."

Bentham employed a poor fellow, half for use, half for charity, something between servant and clerk, to copy his MSS.

The following curious and characteristic entry appears in the diary of Bentham's father, dated November 8, 1778; nor are Bentham's observations, when I read to him the passage, less characteristic:—"Mr William Barrett *dinoit chez nous*; après diner Mr Drake *chez nous*, when me and son Abbott (Charles) went to Justice Robert Elliott's public office, Cambridge Street, to answer the complaint of Sarah Wheeler against me for wearing unlawful buttons on my clothes, when she swore she saw Mr Bentham have a silk waistcoat with the same on the 13th November, but that she did not see him in the room. At the same time she was heard to a complaint against Mr Whittel for wearing a brown silk waistcoat with buttons of the same stuff; but, on her swearing to a wrong person, she was charged with being guilty of wilful and corrupt perjury; and, a warrant being made out against her, she was committed accordingly, at the instance of Mr Nokes of New Inn, attorney for Mr Whittel. *Après midi*, drank tea with Sir John and Lady Hawkins—rude, despotic, and reproachful, for not prosecuting S. W. as well as Mr Whittel."

—"And they *were* unlawful buttons," exclaimed Bentham, "worn by the person whom she supposed to be my father. Poor woman! she accepted the reward offered by the State. I never think of the rage against informers without myself being in a rage against it—calling out for laws, and then visiting with shame those who assist in their execution; determining that a thing shall be done, and shall

not be done, in preventing its being done through the only means by which it can be done. Sir John was a most insolent, worthless, fellow. He wrote five volumes on the history of music, but knew nothing of the subject in theory or practice."

An active correspondence was carried on between Bentham and some of the public men of France, who were now obtaining celebrity in that great agitation which preceded the Revolution, or which was rather the earliest symptom of the Revolution. In a letter of D'Alembert to Bentham, dated 26th June, 1778, he says:—"It is indeed high time that the human race should be freed from all the absurdities, or rather, all the atrocities of our criminal jurisprudence; and if we may not speedily hope to see this great change, it is a happiness for which philosophers like you are preparing the way by your writings—useful as they are to society, and honourable to yourself." The Abbé Morellet, in a letter of the 8th May, 1778, announcing that the government had, by an arbitrary order, suppressed Mirabeau's periodical, which, only having reached its second number, had 7000 subscribers, says:—"the suppression has caused a terrible noise, and excited loud complainings." He laments the violent passions which were then beginning to show themselves, both in the provincial and national assemblies; the want of order in the discussions, and of authority in the presidents; the vagueness of the debates, and the preponderance of the lawyers; and especially the follies of his own "reverend order," which, he says, "would induce him speedily to hurry into retirement, that he might not be compromised by their extravagances."

The Chevalier de Castellux writes to Bentham:—"In these days laws must be discussed, and, if they deserve it, censured; and courtly legists must bend under the weight of mental criticism." He says of Necker, that "his purposes are good and benevolent, but possessing only an executive authority, not grounded on popular representation or popular support, his real influence must be weak."

Bentham told me that he had never personal intercourse with Franklin. "There was a Doctor Swediaur,* who amassed a little fortune at Paris, though he was pulling the devil by the tail here. He was a pleasing man, of a great deal of

knowledge in his way. He took a 4to copy of my Essay on Morals, &c., which he gave to Franklin; but he never expended any observations upon it, which was then a matter of considerable regret and disappointment to me."

CHAPTER V.

1781.—ÆT. 33.

Visits to Lord Shelburne.—Letters from Bowood: The Bowood Ladies: Lord Pembroke: Court Scandal: Necker: Louis XVI.: Lord Bristol.—American War: Captain Blankett: Elliot: Siege of St Lucie: Lord Dartry: Lord Chatham and William Pitt: Dunning: Relation of an Overture by Lord North to the Rockinghams: Lord and Lady Tracton: American Intelligence: Camden: Sir William Draper's Letter to Lord Shelburne.

BENTHAM's connexion with Lord Shelburne (afterwards Marquis of Lansdowne) began in 1781, when his lordship called on him at his chambers in Lincoln's Inn. The intimacy became very great, and Bentham spent much of his time at Bowood.

Lady Shelburne died in 1789. During her last illness, Benjamin Vaughan and Bentham were the only persons of the male sex whose presence she could endure; and, on her death, he was the only male person who was constantly near Lord Shelburne, of that little party to which he looked for consolation.

When a rupture took place with Col. Barré, Bentham held the place of confidence which Barré had occupied. He was consulted on all occasions, at a time when a debt of £300,000 encumbered the rent-roll.

Bentham used his influence in order to prevent the present marquis from being sent to Oxford; a place, he said, where perjury was daily practised.

Lord Shelburne avoided talking on religious subjects, for fear, he hinted, of getting into a scrape; but he avowed to Bentham that his opinions were what is called sceptical.

The following letter is a specimen of Lord Shelburne's style, and conveys his opinion on some subjects of interest:—

LORD SHELburne TO BENTHAM.

"Cheltenham, 26th July, 1781.

"DEAR SIR,—I am very much obliged by your letter of the 18th, and consider your attention as a mark of your friendship, of which I am ambitious. I remember reading some of Mr Anderson's papers, and that they contained more useful matter, though not such fine language as is commonly to be met with among Scotch writers. I entirely agree with him about the Poor Laws; they not only appear to me productive of all the inconveniences commonly apprehended and felt, but likewise are daily destroying all natural subordination and affection. The master manufacturer, uninterested in the fate of the hands whom he employs, becomes a mere Negro driver; while the man of property loses that political influence which it has been a fundamental principle of all constitutions to suppose attendant on property, by the poor being taught, on all occasions, to look up to the king's justices for relief; and I shall not be surprised to see the poor make as separate an interest in the State as the clergy do.

"I brought the 'Fragment' here, meaning to read it again, which has been the means of discovering to me that I am here in company with a friend of yours—Captain Blankett. He returns with me to Bowood at the end of next week,

* Francis Xavier Swediaur, author of the Philosophical Dictionary, &c. He died in 1824.

from whence he accompanies me here, and I should be very happy if it might prove an inducement to you to meet us there.

"You say nothing of your brother. I hope he has not embarked himself in a service (the Russian) which, among others, he has given me the worst opinion of. It is ridiculous to say in this idle place that I am obliged to conclude my letter for want of time, but I was impatient to acknowledge yours; and an early dinner does not leave me more time than is necessary to add the truth and regard with which I have the honour to be, dear sir, your faithful, humble servant,

(Signed) "SHELburne."

Bentham's visits to Bowood were all felicity. A few of his amusing letters, full as they are of agreeable tittle-tattle, will best show how many pleasures were crowded into those happy days; which, in writing to the present Lord Lansdowne, Bentham called the "happiest of his life."

BENTHAM TO GEORGE WILSON.*

"Sunday, 8 o'Clock, (1781.)

"It is true Lady S—— is a sister of Lord Ossory's; my Lord was mentioning it just now in a parenthesis; then Miss V—— must have been a half-sister by another father; and so part, at least, of the mystery is cleared up. The Countess of Warwick is also a sister of Lady S——, whether half or whole I cannot pretend to say. What is it now you want of me? Table talk? Get Selden's; there you have a whole volume of it. Politics? I know nothing about the matter. Does he come in? That I know nothing about, any more than you. He went some little time ago to town, for a couple of days only: that came out accidentally in conversation yesterday, when there was company. 'People fancied that I was gone upon politics.' I have been told at different times, in the way of parenthesis, that I should see Lord Camden here and Colonel Barré; at present, there is not a soul but Blankett. To-morrow, my Lord, and I, and Blan-

kett, (I beg his pardon, Blankett and I,) go to Lord Pembroke's to see Wilton, we are to stay there all night; it is about thirty miles off. On what account we go, I can't pretend to say; it was proposed as if it were only on mine. On Thursday, we go to Calne, to a corporation dinner. Hamilton of Bath has been mentioned as another person whom I shall see, and that in a few days; 'tis he who was the creator of Payne's Hill. He is the oracle for the gardening works that are carried on here, and has been employed in undoing what capability-Brown had done. To-day we had no company to dinner; yesterday we had a Mr Bayntun (a son of Sir Edward Bayntun, an old courtier, whose name you will find in your Bible) and his wife; and who should this wife be, but a Lady Maria, a daughter of Lord Coventry, by Miss Gunning, and who, notwithstanding her ancestry, is as dowdy as a country girl, and as ugly as a horse, and yet, they say, she had on her best looks. Her husband is a plain young country squire in dress, with something of Croft's manner in his address, yet better spoken and without his affectation; he is cultivated *pour cause de vicinage*, being the nearest neighbour there is—and yet, three miles off, neighbours being *eloigned* by the extensiveness of the demesnes.

"All this while, I have said nothing of the manner of my coming here; I began in the middle like an epic poem. I travelled very snug in my coach as far as Marlborough, with a set of people not worth recounting. At Marlborough, where we dined, our coach joined issue with another: the company, Alexander Popham, and a certain female. He appeared to know who I was, and we made a sort of *bande à part*. I determined to pursue your plan with regard to the quitting the hackney vehicle at Marlborough, but, alas! what availeth human, nay, Scottish, nay, even Wilsonian, prudence! Heaven's great amusement is to make mock of it. Necessity obliged me to make inquiries before these people which led them to conclude I was going to Lord Shelburne's; *ed io anch'io*, 'and I, too, said the chambermaid,' (for some such personage was she,) 'am going to Lord

* Some notice of George Wilson will be found in next Chapter, p. 133.

Shelburne's.' Thank your stars you were not in my shoes; if you had been, not all the hartshorn in Godfrey's shop would have recovered you. *Je tins bon*, but the chambermaid's back being turned, I unbosomed myself, Gallicé, in pathetic strains, to Alexander Popham. *Qu'y faire de cette femme ci? Quoique ce soit une femme, il n'y a pas moyen de la mener avec moi, cependant c'est précisément à cette maison là que je vais; voilà ce qui j'appelle une rencontre.* It was some consolation, however to me, that the turpitude of my situation was shared with Alexander, who, upon first meeting, took care to enlarge upon the pre-eminence of stage-coaches to post-chaises,—of the former being the more expeditious vehicle,—of his being urged to have recourse to it by a disinterested innkeeper at Newbery, and of being determined by so pure a motive as the hope of company; had it not been for this, I should rather have attributed it to the expenses of a lost election. At parting, 'to let you into a secret,' says he, 'I ought not, by right, to go so near, without paying my respects at the house you are going to; and I would not wish you to mention your having seen me. But how long do you think of staying?'—'Indeed, I can't tell; a month or thereabouts, it is not impossible.'—'Ah, then,' says he, 'I hope we shall meet.'—'Well, but why not now? Come, get into the post-chaise with me.' The fact was, I should not have been sorry to have had him, supposing him upon such a footing, as a sort of instrument to break the ice with. However, he would not go. When I arrived here, the family were not at home; they were gone, at least the gentlemen were, to dine with Sir James Long, the nephew and *hæres designatus* of Lord Tilney. When my lord came in, he ran up to me, and touched one of my cheeks with his, and then the other. I was even satisfied with it, since he meant it kindly, and since such, I suppose, is the fashion; but I should have been still better satisfied if he had made either of the ladies his proxy."

"Sunday, 12 o'Clock.

"Where shall I begin?—let me see—

the first place, by common right, to the ladies. The ideas I brought with me respecting the female part of this family are turned quite topsy-turvy, and unfortunately they are not yet cleared up. I had expected to find in Lady Shelburne, a Lady Louisa Fitzpatrick, sister of an Earl of Ossory, whom I remember at school: instead of her, I find a lady who has for her sister a Miss Caroline V——: is not this the maid of honour, the sister to Lady G.? the lady who was fond of Lord C., and of whom he was fond? and whom he quitted for an heiress and a pair of horns? Be they who they may, the one is loveliest of matrons, the other of virgins: they have both of them more than I could wish of reserve; but it is a reserve of modesty rather than of pride. The quadrupeds, whom you know I love next, consist of a child of a year old, a tiger, a spaniel formerly attached to Lady Shelburne—at present to my Lord—besides four plebeian cats, who are taken no notice of, horses, &c., and a wild boar, who is sent off on a matrimonial expedition to the farm. The four first I have commenced a friendship with, especially the first of all, to whom I am body-coachman extraordinary *en titre d'office*: Henry (for that is his name,"—[the present Lord Lansdowne]—"for such an animal, has the most thinking countenance I ever saw; being very clean, I can keep him without disgust and even with pleasure, especially after having been rewarded, as I have just now, for my attention to him, by a pair of the sweetest smiles imaginable from his mamma and aunt. As Providence hath ordered it, they both play on the harpsichord, and at chess. I am flattered with the hopes of engaging with them, before long, either in war or harmony—not to-day—because, whether you know it or not, it is Sunday: I know it, having been paying my devotions—our church, the hall—our minister; a sleek young parson, the curate of the parish—our saints, a naked Mercury, an Apollo in the same dress, and a Venus de Medicis—our congregation, the two ladies, Captain Blankett, and your humble servant, upon the carpet by the minister—below, the domestics, *superioris et inferioris ordinis*. Among the former I

was concerned to see poor Mathews the librarian, who, I could not help thinking, had as good a title to be upon the carpet as myself.

"Of Lord Fitzmaurice I know nothing, but from his bust and letters: the first bespeaks him a handsome youth, the latter an ingenious one. He is not sixteen, and already he writes better than his father. He is under the care of a Mr Jervis, a dissenting minister, who has had charge of him since he was six years old. He has never been at any public school of education. He has now for a considerable time been travelling about the kingdom, that he may know something of his own country before he goes to others, and be out of the way of adulation.

"I am interrupted—adieu! *le reste à l'ordinaire prochain.*"

"*Friday Evening, August 25th,*
"or thereabouts.

"On Monday we went to Wilton, as proposed—Lord S., Blankett, and I, in my Lord's coach with hacks. It was not as I had at first apprehended. My Lord was almost as much a stranger at Wilton as myself: he had been there but once before, and then without acquaintance. Lord Pembroke's defection from the court, had begun an intercourse in London, and this visit was the first fruit of it in the country. We set out at six: got there to breakfast, (it is about twenty-six or twenty-seven miles off,) and stayed to breakfast the next morning. It was seeing the place to some advantage, having the master and the mistress of the house for cicerones. A very pretty part of the gardens, planned and just finished by Lady P——, is not shown to strangers. At dinner, the only company besides ourselves were, an officer who was quartered at Salisbury, (a Major North of the 4th Dragoons,) and young Beckford of Fonthill, who, on the 28th of this month, comes of age, and gives a grand fête to all the world. The family consist only of Lord and Lady P——, Lord Herbert who is with his regiment, and Lady Charlotte, a little girl of nine or ten years old, who is at home. It is odd enough, that though he and she are by no means on good

terms, they should neither of them have a creature with them. Lord P—— is one of the best bred, most intelligent, pleasant fellows, I ever met with in my life; they say he is mad, but, if his madness never shows itself in any other shapes than it did then, I wish to God I could be mad too. He talked with infinite vivacity and légèreté, saying many good things and no foolish ones.

"I got a most exquisite lesson in the art of small talk from the breakfast conversation of Lord S. and Lady P., (Lord P. being absent for near an hour.) They had been old cronies twenty or twenty-five years ago, and had never come across one another since: you may imagine what stories they had to chop and notes to compare. In those days Lord S. used to frequent Marlborough House. You know the genealogy. Lady P. and Lady Di. Beauclerk, sisters to the present Duke of Marlborough. It was pleasing enough to contemplate, at leisure, the remains of a beauty which was one of the first that I remember to have heard celebrated, *au sortir de l'enfance*. Lady P. and Lady Egremont—whom also I shall probably have the opportunity of being acquainted with—were the two heroines of a copy of verses, which I remember made some noise at Tunbridge, when I was there with my father about twenty years ago.* She is grown fat, and, by that means, a little out of shape; but she has still a fine face, and very fine light brown hair, which she wears neatly done up without powder, to serve as evidence of youth. To apologize for the attention with which I surveyed her, and to make up for the little I could have to say upon such topics, I threw into my looks as well as I could, an air of respect mixed up with a small dash of tenderness. She is at that time of life at which a woman thinks herself obliged to any man who will give her to understand that he thinks her still desirable. It was by this manœuvre, I suppose, that I escaped contempt: for it did not appear to me, that I was looked upon as others who had so much more to say for themselves. They (I

* Although she be not half so fair
As Egremont and Pembroke are.

mean Lord and Lady P.) are to be here in the course of the summer, but separately; it being so contrived, thinking it would be the more agreeable to them.

"The Duchess of Bedford is also to be here; she is, you know, related (I don't know yet precisely in what manner) to Lady Shelburne; so also, I believe, is a personage of a nature very disparate to the former—I mean Dunning; I mean that he is expected here. You have in the newspapers of a day or two ago, a mighty pretty paragraph, about the duchess being all summer long in town; the fact is, she is at Woburn. Yesterday, we had at breakfast old Sir Edward Bayntun; to-morrow, we have at dinner Sir James Long, nephew and *hæres designatus* to Lord Tilney. This morning, went away honest Jo. Townsend, a parson, brother to the alderman;* we found him here on our return from Wilton, on Tuesday. He seems a very worthy creature, has been a good deal abroad, and has a great deal of knowledge; his studies have lain a great deal in the same track with mine; he is a utilitarian, a naturalist, a chemist, a physician; was once what I had liked to have been, a methodist, and what I should have been still had I not been what I am; as Alexander, if he had not been Alexander, (I am wrong in the story, but never mind,) would have been Diogenes. In short, we have become great friends, and he has given me the *carte du pays*. There is a mixture of simplicity, candour, and a composed earnestness, tempered with good breeding, that has won upon me mightily; and upon the terms of my indulging him in his patriotism, and antipathy to your countrymen,† (some of whom, however, he has a great respect for,) I am apt to think we shall be fast friends. He is to come here again ere long, that I may cast an eye over a work of his, part of which is printed; and he, in return, is to assist me in the revisal of mine, which he enters into the spirit of most perfectly. He has made me promise to go over and

see him at his living, which is about fourteen miles from hence. Lord S. and Barré, when he comes, are to go and dine there: I shall then go with them, and stay behind them for a few days. Blankett is to go on Monday. I am glad of it; he seems to be an honest sort of man enough, but has one of the most confused heads I ever met with, and he embroils every topic that is started.

"The master of the house, to judge from everything I have seen yet, is one of the pleasantest men to live with that ever God put breath into: his whole study seems to be to make everybody about him happy—servants not excepted; and in their countenances one may read the effects of his endeavours. In his presence they are as cheerful as they are respectful and attentive; and when they are alone, you may see them merry, but, at all times, as quiet as so many mice. I have no need to rue the rencontre mentioned in a former sheet; for, to such a poor devil as I, they are as respectful and attentive as if I were a lord. The mistress has more reserve and less conversation, but as much mildness as the master. The only instances of fire I have seen him exhibit, have been when he has been declaiming about politics; yet, though I frequently oppose him, and scarce ever join with him, he takes it all in the best part imaginable. I will tell you how the matter stands between the P—— of W—— and *Perdita*. The common story is that she has got letters of his, in which he speaks disrespectfully of the king; and that she is making use of them to extort money from him. This is not the case; but the fact is, that she has a direct promissory letter for £20,000, written, I think it was, before possession. This is what Lord P—— told us on Monday. Before he left town, he called on Lord Southampton to pump him about it. Lord S. could not immediately see him. Meantime came in Lord Malden, who was come as plenipo for the lady, for the express purpose of negotiating the matter with Lord S. Lord P—— descried his errand, as he says, and, by pretending to know more than he did, picked the story out of him.

* The Rev. Joseph Townsend, Rector of Pewsey. The work referred to is probably his "Thoughts on Despotism and Free Governments," published in 1781.

† The letter is to George Wilson, a Scotchman.

"As to myself, I have hitherto been completely idle, and that partly from inclination, partly upon principle. Strangers are lodged in a part of the house quite separate from that which is inhabited by the family. Adjoining to my bed-chamber I have a dressing-room, and should have a servant's room if I had one to put into it. They are plain but neat, spacious, and convenient. The dressing-room I make my study. People here do just what they please—eat their meals either with the family or in their own apartments. The only gêne I feel is, that which conscience imposes of dressing twice a-day—that, you know, eats time.

"We learnt at Wilton that Lord Porchester comes off with little loss; the witnesses against him discredited themselves."

"Saturday afternoon.

"Lord Bristol is here—a most excellent companion—pleasant, intelligent, well read, and well bred—liberal-minded to the last degree. He has been everywhere, and knows everything. Sir J. Long is a little stiff-rumped fellow, and knows nothing—except persons, and so forth, in the Q. S. Pian style. Lord B. has with him one of his sons—a fine boy of twelve years old—who is just going to sea."

"Bowood, Saturday, 26th August, 1781.

"The revenue of the Bishoprick of Derry is, at present, £7,200, and, in a few years, will be £9,000; the patronage, £14,300; none of the livings less than £250; some £8, £10, £12, up to £1500. Of all the advowsons in his diocese, he has forty; some lay-lord, five; and another, I forget who, two or three. This, from the honest bishop, who, at the same time, declares it to be a wonder and a shame that the clergy should be suffered to remain in possession of so much wealth. Of the above parsons, scarce one resides. They pay a curate £50 a-year, which, he observes, according to their own estimation, is what the service that is done is worth.

"Lord B. says, he is well assured and persuaded that Necker acted corruptly—that, as minister, he borrowed of his own house at seven per cent., when the

farmers would have lent at five per cent. Necker and Turgot (who, you know, died about eight months ago) were bitter enemies—this makes it the more generous for N. to speak of T. in the handsome way he has done in his pamphlet. What turned out Turgot, was a jealousy of Maurepas. When the Prince of Condé, who found himself affected by some of Turgot's arrangements, raised the insurrection at Paris, Turgot went to the king, and got an order upon the Marechal de Biron, governor of Paris, for as many men as he chose to have: purposely, or through inadvertence, he failed to communicate this to Maurepas. M.'s jealousy took fire; and in two days Turgot was dismissed. Madame Blondel, who was closely liée with Turgot, took upon herself the blame; but all would not save him. Necker owed his dismissal to the Parliaments—whose assumed negative in legislation his project of provincial assemblies went to supersede.

"The K. of F., who is timidity itself, is apprehensive of a quarrel with the men of the long robe. Caron de Beaumarchais, one of the busiest and most successful of intriguants, has realized (Lord S. says) to the tune of £30,000 or £40,000 a-year. He was sent over to get (I forget what) papers of consequence from De Morande; but that story you remember. He was even employed once in making up a quarrel between the K. and Q. of France, which had gone to such a length, that the empress queen was impliquée in it. At present, his interest is equal to almost anything. He is at the head of the project for publishing three magnificent editions of Voltaire's works, at fifteen (twenty-five, I think it is) and forty guineas, with Baskerville's types. He has sent Lord S. a number of proposals. Lord B. said, he had met with French officers, and seen letters from others, (Fayette was one who was mentioned on the occasion,) who all joined in giving the Americans the worst of characters: they had all the vices of the Athenians, said somebody, without any of their virtues. Franklin, it was agreed by both their lordships, had his situation to the last degree uncomfortable, despised and ne-

glected by the French Ministry, thwarted and persecuted by Arthur Lee's party, of whom he has been heard to say, 'he could not have thought there had been so much malevolence in human nature.'

"Elliot has brought down a strange story of the Chancellor [Thurlow]—that he had promised a man a living—that afterwards he came to learn that the man (who was a Yorkshireman) had concurred in some of the opposition measures of that county, and that, therefore, he had revoked his promise. By way of contrast, the care was mentioned that Lord Northampton took to make an equal distribution of church preferments to all parties. A strange circumstance in the story is, that Lord Loughborough went to the Chancellor, and forced him into it. The reality of the promise is mentioned as being so clear, that it was to have been confirmed by I know not what overt acts.

"Lord S. pretends to have heard from very high authority at New York, that Lord Cornwallis, being sick of his situation, had begged of Clinton to come in person, and gather the laurels that were ready for him; but that Cl. begged to be excused. Reported of Lord Mulgrave, when in Opposition, being introduced to the Queen of Sardinia: 'On dit,' said her majesty, 'que Milord n'est pas bien à la cour.' 'Madame c'est la cour qui n'est pas bien chez moi.' This was by Lord Bristol, who is uncle to Lord M.

"Lord B. assumed to me, (unless I much mistook him,) a principal share in the merit of carrying the Toleration Act through the Irish House of Lords. He was, in his own mind at least, for going further, and admitting them to all offices, that of Member of Parliament not excepted. Of a little more than three millions—of which, he says, the population of Ireland consists—upwards of two millions are Catholics, about 600,000 Presbyterians, and only about 400,000 Church-of-England men. He has made an exact enumeration of all the people in his diocese, distinguishing them according to their religions, occupations, sex, ages, and the like.

"Elliot says that Admiral Parker is loud in his complaints against Lord Sand-

wich for not giving him force enough. The royal visit was a contrivance of Lord S.'s to stop his mouth; but that it won't.

"Elliot and Lord S. agreed that Lord Chesterfield is broken up, and gone to live altogether in the country. He says of himself that he is much obliged to the P. of W.; that he had not thought of his owing above £30,000 or £40,000; but that, in consequence of that affair, he had the advantage of knowing that it amounted to £90,000; that the notion of his being a short life, had brought all his creditors about him; that now he knows how his affairs stood; and seven or eight years, spent in the country, would set them right again; otherwise, going on in the notion of owing but £30,000 or £40,000, he should have ruined himself past redemption. Lord S. says that, on the breaking out of that affair, the king was exasperated to the highest degree, with Lord Ch.; that he had appointed a day for visiting him; but that upon that he broke the appointment, without sending any word.

"Lord B. told me that Lord Shannon used to send twenty-two or twenty-three Members to the Irish Parliament; but that, since the act, that influence was diminished.

"I write you everything higgledy-piggledy, just as it happens to come in my head. There is no end of the anecdotes, of all kinds, I hear about the politics, as well of France as of this country: about one in fifty I shall remember; the others will be lost to me.

"I wish I could get your great carcass, and squeeze it through a keyhole, like a fairy's, that you might get by heart the things I hear, and give them back to me as I wanted them.

"Lord S. says that Lord Chatham, who governed everybody else with a high hand, was himself governed, in a manner, by the King of Prussia; who gave him information, and suggested ideas to him, even for his maritime operations. This appears from a suite of letters from the king to Lord C., of which Lord S. has either the originals or copies, and which I, I believe, may see.

"I mistook. Lord Porchester, upon Lord Pembroke's account, lost about

£3,500. Supposing that he should be ruined, he sent over an agent to the continent to look out for a retreat."

"Monday, 27th August,
"8 in the Evening.

"Last night came in, Elliot of Port-Elliot, St Paul's friend. This morning, Lord Bristol and Blankett went away: Lord Bristol, I believe, to Oxford; Blankett to London, taking Hackwood (the Duke of Bolton's) in his way. One of the most wrong-headed blockheads I think I ever met with; putting in his oar on every occasion, talking *à tort* and *à travers*, and spoiling every discussion that is started. Yet he is connected with many of the first people in Opposition, and, in particular, has the ear of the *maître de la maison*, to a degree I am sorry to observe. His great merit is the having been a lieutenant to Keppel, whose *âme damnée* he is, and has written paragraphs and pamphlets on his side. Before he went, he took me into confidence, and consulted me about a nonsensical project of his for discovering polished and commercial nations where Cook has been, and found none: the most absurd idea, supported by the most absurd arguments, in the most confused method, and in the most slovenly and awkward style. He it is who brought home the Rippon from the East Indies. He is personally acquainted with Rumbold and defends him without argument and without shame. *Sed de hoc plus satis.*

"Talking with Lord B. yesterday (nobody else in the room) about the riots, he took notice, that in the Scotch Assembly (National Ecclesiastical Assembly—what d'ye call it?) there were but two voices against the toleration. O yes, says I. I understood it was not with the clergy that it originated, but with a parcel of low-lived fellows of laymen in the neighbourhood of Glasgow. No, no, says he—not with them. With whom, then? With people here. These last words were pronounced with an air of mystery, and with a push of the voice. Who he meant, I cannot pretend to say. It cannot be the Ministry; for besides that, nothing could be more against their interests. If he had meant

them, he would have spoken out. It could not, I think, be the Rockinghamites; it could not have been Lord G. G., for nobody could have thought of making a mystery of his name. I leave you to form your own conclusions.

Lord S. says that when he was in town, (about a week ago,) a Mr Oswald, who is a strong royalist, and much connected with Lord Mansfield, told him that it was a certain fact that the French had at last seen the necessity of supplying the Americans with money; that they had accordingly sent £600,000, and that if it reached them, there must be an end of all our hopes."

"Tuesday, 28th August, 8 o'Clock
"in the Evening.

"An Historical Account of the Settlement and Possession of Bombay, and of the Rise and Progress of the War with the Mahratta Nation. Printed for Robson, New Bond Street, 1781.' It is not yet published. Lord S. says it is by Master Pechell. It contains information which there is no other means of coming at: in that respect, it is valuable; but, for composition, it is, I think, the vilest stuff I ever met with. I have just read it. This is one of the pleasant incidents attendant upon great houses—meeting with unedited books, or books of the day, before they are to be had elsewhere.

"This morning came a packet to Lord S., from France. It contained two newspapers—the one a journal of the operations of De Grasse, from his sailing from France, to the day of the troops abandoning St Lucie; the other, a letter of Count Dillon, from that period to the taking of Tobago. The first man says:—'The fort of St Lucie is so strong (what do they call it? Morne Fortune?) that it might bid defiance to 20,000 men; that it has cisterns, and I do not know how many other things, bomb-proof, and that part of it is undermined; but then he adds some other circumstances that are plain lies, viz. that there were 2,500 regulars in it, and as many sailors. It appears plainly, if not wholly, as a feint to draw our attention from Tobago. At this latter place, it looks as if we had made but a scurvy figure. The island

was surrendered, without so much as firing a gun; though we had one post, Dillon says, extremely strong, and a defence of twenty-four hours might, as they had reason to expect, have given time to the fleet to arrive to their relief. On the other hand, their fleet appears, from the first paper, to have cut as scurvy a figure in the engagement with Admiral Hood. It talks of a *fatalité*, and then, again, of another *fatalité*; and so, I believe, to the tune of three fatalities, that prevented them from gaining the advantages they might have done; and yet this was written by an apologist of De Grasse.

"I believe I shall pack this off to-night. To-morrow, Elliot leaves this place—a modest, civil, good kind of man; sensible enough; but without those pretensions which one would expect to find in a man whose station in his country is so commanding, and political influence so great. He is modest enough in his conversation about politics, but desponding. He says he scarce ever looks into a paper, nor dares he, for fear of ill news.

"I have just been playing at billiards with Lady S. Miss V. looked on, but would not play, saying she never had played before. There is an event for you. By and by I shall come to telling you every time I buckle my shoe. I almost despair of getting them to the harpsichord. To-morrow, however, the house, I hope, will be clear; and then, perhaps, I may have some chance. The chess and the billiards were her own proposal; the harpsichord I must beg and pray for.

"The sheet is not filled, and you will grumble if I leave any of it blank. There seems no want of money here: grounds laying out, and plantations making, upon a large scale—a gate going to be made, with a pyramid on each side of it, for an approach to the house at six miles distance:—the pyramids to be at least 100 feet high. At this place, a road, which is to be made from the house, is to join the road from London to Devizes. This new road will leave Calne (through which the present road runs) on the right, and save a mile or two. I call it Egypt.

"In the way, you have deep valleys, with meadows and a water-mill at the bottom of them; and, on the sides, craggy rocks, with water gushing out of them, just for all the world as if Moses had been there."

BENTHAM TO HIS FATHER.

"Bowood, Friday, August 31, 1781.

"HONOURED SIR,—A day or two ago, I received your letter, dated Brackley, August 25. I write this in expectation of its meeting you at Bath: as soon as I hear of your arrival there, I will see about fixing a day for paying my duty to you in person: as that will, I hope, be a speedy one, there will be the less occasion for my entering into any epistolary details; characters, therefore, and descriptions, and conversations, you will not now expect from me; I shall content myself with giving you a very short account of my motions, and the company we either have seen or expect to see. Yesterday se'ennight, (Thursday, August 16,) at four o'clock in the morning, I got into one of the Bath post-coaches: diligences there are none. At Marlborough, where we dined, I quitted the coach, took a post-chaise, and got here about light. The family consists at present only of Lord and Lady Shelburne; a little boy of theirs, who is no more than a year old; and Miss Caroline V., a half-sister of Lady Shelburne's by the mother's side. Lord Fitzmaurice,—the only child Lord S. has left by his first lady,—a youth not quite sixteen, is travelling over England, with a Mr Jervis, a dissenting minister, who has had the care of him ever since he was six years old. He is not to come to Bowood before the family leave it for the summer. Visitors there were none, except Captain Blankett, whom you know of: he left us on Monday last, but is expected again in October. On the Saturday, there dined here a Mr Bayntun, and Lady Mary his wife, daughter of Lord Coventry by the celebrated Lady Coventry, whom we used to hear so much of. She has nothing of her mother's beauty. Mr Bayntun is the youngest son, but heir-apparent, of

Sir Edward Bayntun, an old courtier, who has an estate in this neighbourhood. On Sunday, there was nobody. On the Monday, Lord Shelburne, Captain Blankett, and I, went in my lord's coach to Lord Pembroke's at Wilton. We got there to breakfast, and staid to breakfast the next morning: Wilton is about twenty-seven miles from Bowood. At breakfast, there was not a creature but Lord and Lady Pembroke; but at dinner came a Colonel North, who happened to be quartered at Salisbury, and young Beckford of Fonthill, who was to give a grand fête upon his coming of age, the 28th. This was the first visit Lord S. had ever paid at Wilton upon the footing of an acquaintance. Sunday, September 2d. On Tuesday, (August 21st,) on our return from Wilton, we found a Mr Townsend, a clergyman, a brother of the alderman's. He has a living about fourteen miles off, and is upon a familiar footing here. He staid till the Thursday or Friday after. What I have seen of him, I like much; his thoughts have run pretty much in the channels that mine have run in. He was to go for three weeks into Northamptonshire; but he made me promise, that, on his return, I would go over and spend a few days with him. On Wednesday the 22d, or Thursday the 23d, I forget which, Sir Edward Bayntun breakfasted here. On Saturday, to dinner, came a singular sort of personage, who, not in Falstaff's sense, but in another sense, may be termed a *double* man: I mean the Earl of Bristol, *alias* Bishop of Derry. He brought with him a fine boy of his, about twelve years old, whom he is just going to enter in the navy. On Sunday evening came Elliot of Port-Elliot; he who is knight of the shire, and puts in seven borough members for Cornwall. Lord Bristol went away on Monday, (the 27th,) as likewise did Blankett. Elliot staid till Tuesday after breakfast. On the Sunday, (the 26th,) Sir James Long, the nephew and *hæres designatus* to Lord Tilney, dined here. Since the Tuesday, I think we have had nobody, except yesterday, when we had to dinner a Mr Bull, who lives at Calne, and a Captain

Onslow, late of the Blues, who is upon a visit to him. Oh, yes: on Friday we had a Mr Dickinson, a rich old Quaker in the neighbourhood, who called here and drank tea. Several whom I have spoken of as being expected here, are Lord Dartry, Lord Camden, Dunning, Colonel Barré, Hamilton, late of Payne's Hill, William Pitt the orator, Lady Warwick—Lady Shelburne's sister, and the Duchess of Bedford. It was not till to'other day that I understood from Lord S., as we were sitting tête-à-tête after dinner, that there was a probability of her bringing the duke with her, which, he said, he hoped might be the case, 'That the duke might have the advantage of making my acquaintance.' Lord Dartry has been expected for this day or two. He is an Irish lord made out of a banker,—his name was Dawson: Lord S. speaks of him as one 'with whom he is much connected.' As to the other people, I have been successively told at different times when they have happened to be mentioned, that I should see them here; Lord Camden in particular, with a view to his looking over my book. This throws my departure to an indefinite distance. Indeed, I have no need to wish to be in a hurry to go away, as I am as much at my ease as I ever was in any house in my life; one point excepted, the being obliged by *bienséance* to dress twice a-day. I do what I please, and have what I please. I ride and read with my lord, walk with the dog, stroke the leopard, draw little Henry out in his coach, and play at chess and billiards with the ladies. My lord's custom is to read to them after tea, when they are at work; and now nothing will serve him but, in spite of everything I can say, he will make them hear my driest of all dry metaphysics. He takes the advantage of my being here to read it in my presence, that I may explain things. This has gone on for several evenings. I must cut short; for while I am writing this in my dressing-room above stairs, they are waiting for me half-a-mile off in the library below stairs. You will, I dare say, excuse me; succinct as my letter has necessarily been, it is already not.

a short one. My best respects wait upon my mother. How fares it with our friends at Oxford?

"I am, Hon. Sir, your dutiful and affectionate Son,

"JEREMY BENTHAM.

"I forgot to mention that Lord and Lady Pembroke are also expected here. It is contrived that they shall come separate.

"*Sunday, Sept. 2d, 1781.*"

BENTHAM TO GEORGE WILSON.

"*September 5th, 1781.*

"The ladies being retired, Lord S. and I are left alone in the dining-room. He is writing to his son; and I, having no son to write to, to keep my hands from mischief, will write to you.

"This morning, he had a letter from Blankett, telling me that there was certainly a foundation for the report of the insurrection in Peru, and asking him if he had not, or rather taking for granted that he had, received a copy of the Manifesto of the Insurgents from Sir John Hart—at Lisbon, is it, or Oporto? Blankett appears to have had it from Pinto the Portuguese Minister, with whom he is well acquainted. Pinto was at one time expected here; but, I believe, is not now.

Q. S. P.'s* are got to Bath at last. As to your fears about my conversion, they are altogether vain. This is all I can say about the matter at present—*faute de temps*; for, when my Lord has done, I have done, as the packet is then closed.

"Yesterday, was it, or the day before? I forget which, we had a turtle, and, therefore, company to eat it—a Mr Methuen, and his son, and his son's wife. The father was Member for some place, but has given up to his son: you will see him in the Bible. The son is married to a sister of your friend G——, that had the w—— of a wife. With them came also young Bouverie, youngest son of Lord Radnor. Methuen, the father, has £16,000 a-year. Bouverie, when he comes of age, which will be in a few months, has £20,000, I am told.

Q. S. P. Queen Square Place—in allusion to his father and stepmother.

Among them all, they have not the tenth part of an idea. Young Methuen is the very model of my lord in the 'Princesse de Babylone,' except that, instead of my Lord's crustiness, he seems to have good nature.

"No Lord Dartry yet; and Hamilton does not come this month. What think you of Lord G. G. opposing Clarke? Lord S. knows nothing of the latter: thinks it would be the best thing for him that could happen, dividing the Opposition party. Send me any election news you pick up, as, likewise, anything you can get from St Paul's—ministerial news he may be more in the way of picking up than me. It will be shortest to direct to Shelburne House. Lord S. has just written to Dunning to ask him here."

"*Bowood, 10th September, 1781.*

"*Monday Morning, Nine o'Clock.*

"I have just received yours of Friday the 7th. This is expeditious. I tremble at the threatened acquaintance with the Bennets—even Parson Bridges I would have gladly spared. If things go on thus, the post at Thorpe will be no longer tenable.

"I am distracted at the thoughts of losing Miss V——. She leaves us in a day or two; I fear, on Thursday. I had taken for granted her home was here; but Lord S. says it is at the Duchess'. She is gone to Lady Warwick's, 'because' Lady W. is, some time or other, to lay in. Lay in, is it, or *lie* in? However, one of these days, it will come to our turn to lay in, and then we shall have Miss V—— back again. She is not very conversible indeed, as I have already told you ten times over; but, then, she is very sensible, has great good nature in her, and is, altogether, one of the sweetest pictures to look at you ever saw. We shall be muzzy enough, I doubt, when she is gone. I can't help pitying poor Lady S., who will not have a creature of her own sex to speak to. This will not, however, last long. There is another Miss V——, younger than this, whose name is Elizabeth. She is not so beautiful, I understand, as this, but a little upon the squat, as I learned from her similitude to a tree that I was com-

mending. Lady Holland was another sister of Lady Shelburne. She, I believe, was by the same father, the Earl of Ossory. She, I understand, is dead, to the great grief of Lady Shelburne. So far so good; but, if my memory does not much deceive me, Lord S. told me yesterday that the Duchess of Marlborough again is another sister. Yes, he certainly did; but with the Marlborough family I see not the least sign of any communication. Perhaps, however, the Duchess of M. is only a cousin; being the niece of the Duchess of B. by another sister, as the Duchess of Grafton and Baroness Kurtzleben are. Be this as it may, sure I am that the Duchess of M. was spoken of by Lord S. as one of the ladies of whom the Duchess of B. had the breeding up. Lady Shelburne was with old Gertrude for nine years. What an exquisite brood that old hen has sat upon!

"Lord Dartry, I believe, is not now expected here; at least not yet awhile. Lady Dartry, I understand, is much in favour with the queen. Lord Camden is expected here on the 15th, Dunning on the 25th; Mrs Dunning comes a week before, to be here while her husband is at Bristol. I am kept here for the professed purpose of Lord Camden and Dunning looking over my book; hence it appears that I shall not, at any rate, leave this place till the month is out. As soon, however, as there is no particular reason assigned for my staying here, I intend to go: so that, by the first week in next month, it is probable we shall meet. This, however, cannot be, if Douglas and Trail are both with you at that time, since the house would not hold us all: tell me how that matter stands. When the Duchess of B. comes seems not to be yet fixed: there is some expectation that she will bring the duke with her. Lord S. said to me t'other day, as we were sitting tête-à-tête after dinner, that he hoped she would, 'that the Duke might have the advantage of making my acquaintance.' This, I have a great notion, I told you in my last; if I did, you must excuse me.

"So Lady Warwick, you see, is not

to be here, as I once thought she was; it was not here that she and Miss V—— were to meet, but at Warwick castle. Did you ever hear of this same Warwick castle as a place worth looking at? Lord S. has mentioned it to me as one of the most beautiful spots in England. I may possibly, one day or other, be able to tell you more about the matter; he has told me two or three times that he should be glad to show it me. This I should like well enough, I must confess, if it were only for the sake of seeing the fair owner. Lord W., he says, is a pleasant, good-natured, little man, and that I shall like him very well. Upon my asking about his political ideas, he spoke of him with some little regret as being a courtier; and of Greville, who is in the Admiralty, (I think—is it not?) as 'a rank one.' Is not all this very handsome? It would please you to see how attentive he is upon all these occasions to keep out of sight every idea of protection—everything that could give me to understand that he looked upon it as a favour done me to introduce me to these great people."

"September, 13th, Thursday.

"Yesterday, came here, in the evening, a Mr Ernest—a heavy-looking, good-humoured sort of a German, intimately connected, somehow or other, (I can't yet tell how,) with Count Brühl, through whose means he became known to Lord S. In the chaise with him came his servant, also a German, who, before bedtime, got drunk, and deposited his carcass in the housekeeper's room instead of his own. Going down stairs to a certain place after I had been up to bed, I met the housekeeper in the staircase, who, being a neighbour, opened her hard case to me. Finding remonstrances ineffectual, we got a couple of the men, who hauled him away, and left Mrs Housekeeper to her repose.

"Yesterday, also, came Parson Townsend. I have not yet had any private communication with him. Illness in his family prevented his intended journey into Northamptonshire. The same illness may, perhaps, prevent my visit to him.

"To-day came a letter announcing an intended visit from a certain Lord and Lady Tracton. This Lord Tracton is Lord Ch. Baron in Ireland. His father was an attorney, and did Lord S.'s business there."

"*Saturday Night, September 15th,*
"(half after 10,) 1781.

"Arrived here a little before, Lord Chatham, his brother, Will. Pitt, and Pratt, Lord Camden's son, Member for Bath. I find they had none of them ever been here before. Do you know Lord Chatham? In his appearance, upon the whole, he puts me in mind of Dan Parker Coke; but he has his father's Roman nose, and, if events should concur to make him have a good opinion of himself, will soon, I dare say, acquire his commanding manner: at present, one sees little more than a kind of reserve, tempered with mildness, but clouded with a little dash of bashfulness. Will. Pitt you know for certain; in his conversation there is nothing of the orator—nothing of that hauteur and suffisance one would expect; on the contrary, he seems very good-natured, and a little raw. I was monstrously frightened at him, but, when I came to talk with him, he seemed frightened at me; so that, if anything should happen to jumble us together, we may, perhaps, be good pax; which, however, is not very likely: for I don't know very well what ideas we are likely to have in common. After beating Miss V——, I have just been beating him, at chess; an inglorious conquest, as he is scarce so much in my hands as I am in yours. Ernest and the rest of the people have been playing at crown whist. Supper being announced, I stole up here. Ernest, it seems, is the Saxon minister—an honest, good-humoured kind of man. I find it necessary to rise before six, and for that purpose go to bed by eleven. I lie on straw. Pratt has more distance and more suffisance than either of the others; yet there is a sort of giggishness about him too; he puts me in mind of a young Jew-broker in the city. About an hour after dinner passes now quite happily; as I have established a habit of accompanying Lady S. on the harpsichord, and

she is pleased with it. She has nothing at present here but a shabby little spinnet, that I should be ashamed to use myself; but I have set her agog after a variety of new-fashioned harpsichords, and she vows to have some of them. There being nothing here in the fiddle way that is tolerable, she has made me send for mine to town."

"*Sunday Morning.*

"I mistook about the time of Dunning's visit: his wife does not come till the 24th, and he not till a week afterwards. He, therefore, will not be here till the 1st of October; allowing a week for his stay. I shall not leave this place till the 27th, when I am to pay a visit to Parson Townsend, from whom I shall hardly get away under a week. I shall then come to you *en droiture*, without going to town, provided always that your spare room is not occupied. *On se déchaine ici* most violently against Governor Cunningham; indeed his conduct at Barbadoes seems to warrant it. A brother of his, also in the army, used to be looked upon as a mignon of Lord G. G., in Germany, when Lord S. was serving there: Cunningham was very nice about his hair, which used to make Lord S. take a pleasure in discomposing it. Besides his connexion with Lord G. G., he is a toad-eater at Marlborough House, where he has *entrée* at any time, notwithstanding the reserve so remarkable in that family: the first time of his being there, he was invited for a week; he stayed six, in spite of repeated hints that he had stayed long enough.

"A story of Lord Bristol. Some time ago, coming from Paris directly to London, he carried a verbal message, as he pretended, from Franklin to—whom would you think of all men in the world?—Lord Spencer, telling him that, if he would come to Paris immediately, they two would be able to settle a Peace. Lord Spencer was very much distressed; could scarce credit the information; but willing to do what he thought right, thought he could not justify himself the taking no notice of it. He accordingly set out, and actually got as far as Calais; but the wind proving contrary, or some

other obstruction arising, he fancied it impossible to get to Paris time enough, and so went back again. This, Lord S. says, he has from an authority which he is not at liberty to mention, but which he can absolutely depend upon. He has told it twice in my hearing; the last time, yesterday, to Lord Chatham. He accounts for it by the flightiness of Lord B., who, he says, is equally known for his spirit of intrigue and his habit of drawing the long bow. Indeed there does seem to be something of that in him; besides that, they say there is something of a crack in the brain runs through the family."

"Sunday Morning, September 16.

"The hints thrown out by Lord S. in one of our tête-à-têtes in London, about offers made to entrap him, and which I was then disposed to look upon as a way of speaking, have, in some of our country tête-à-têtes, been particularized. To break the connexion between him and Lord Chatham, propositions were first made to the latter to come in with Lord S., afterwards to Lord S. to come in without Lord C. One day, when Lord S. was dining at Lord Beauchamp's, Eden having been to Shelburne House, and not finding him at home, he followed him thither; calling him out, he said he came by order of the king; and made him three propositions: the first, to come in and act with Lord North and Lord Suffolk; another, to act with either of them without the other; and a third, to come in without either of them. This latter he would have accepted, had not his friends, some or all of them, been excluded. I know not whether Lord Chatham was living at that time, but I believe he was. Barré, he says, has been repeatedly and constantly refusing £3,000 a-year, which would have been given to him if he would have deserted Lord S. He values himself much on his friends, and on their mutual fidelity. With Alderman Townsend, he says, he has been connected twenty-two years; with Lord Camden, about twenty-one; with Dunning, eighteen; and with Elliot, I think, he added sixteen. Elliot brought in seven Members, he says, the last time. Gibbon

he brought in for private friendship; though, as it turned out, much to his regret. Elliot offered, he says, to take his recommendation for some of them; but, at that time, he neglected the offer through despondency. At his outset, I myself, he says, could scarcely be barer of connexions than he was: his father had scarcely any others than with Lord Holland. At a former time, when he was laughing with Blankett and me about his being called Jesuit, I asked him who was his godfather on that occasion. This would be an occasion, if he thought proper to lay hold of it, for telling his own story about the rupture between him and Lord Holland, and so it proved. He said that Lord Holland, previous to his resignation, (the history of the day will show when that was,) of his own accord, for some reason or other, not specified, I think, by Lord S., mentioned his tedium of public business, and his wishes to resign; that, for some reason or other, it was convenient he should resign; and so Lord S. took him at his word. Having thus overreached himself, he was enraged, and inveighed against Lord S., as if it were he that overreached him. Lord S., I think, mentioned somebody as having been a witness, and as justifying him, but I forget whom.

"Yesterday morning, Lord S. spoke of a letter which he had received from an officer high in rank in the West Indies. He said that De Grasse, with twenty-four or twenty-five ships of the line, (he had had a reinforcement of six or seven,) sailed, on the 31st July, for New York. That Hood, with seven or eight, was only then on the point of setting sail. This looks bad, and was mentioned with great triumph. If you mention it, you must not say how you came by it; for the officer, whoever he be, would get a d— rap of the knuckles if he was known to correspond with us."

"Monday Morning, September 17.

"Now, from other advices, we have altered Hood's number from seven or eight to fifteen. At eight o'clock this morning, I received yours of Friday the 15th. You are a good fellow enough for the news you send me; but an un-

grateful bear for pretending to complain of the shortness of my letters ; while I, to the utter neglect of my whole business, spend whole mornings in cramming your insatiable maw with politics. It takes me, indeed, a monstrous long while to write a letter to you; for I have so many things I might write, that more time is spent in determining which of them I shall write than in writing. I have a hundred and fifty subjects at this moment which are ready to pull me to pieces for the preference. My notions of the characters of the people here; conversations about Sam and about myself; what sort of connexion I hope or wish to form or to preserve; these are topics I find myself continually solicited to touch upon, yet I think it better not to do it at all than to do it imperfectly. They will keep; and political stories that I chance to hear, if they were not set down instantly, would be forgotten. Your queries about my visit at Thorpe I have answered by anticipation, in a letter which will go with this. Send to Davies everything except what is mentioned as secret between us two, or marked with the initials of your name: but wait for franks from me unless you can get others."

"*Bowood, Monday,*
"17th September, 1781.

"Relation of an overture made by Lord North to the Rockingham party for a coalition, in the summer of 1780, as given by Lord Shelburne to Mr W. Pitt, on Sunday, September 16th, 1781, after dinner—present, Lord Chatham, Mr Pratt, and J. B.

"It was introduced with some little preparation, as if in compliance with a request made on some former occasion. Lord North, meeting his cousin Montague upon the steps of the House of Commons, went up to him and said, he was glad to understand there was a disposition among his friends to *coalesce*; that, if that disposition were real, he would authorize him to propose such terms as the Court meant on their part to insist upon. That, however indelicate it might sound in his mouth, yet it was necessary he should say, that, at all

events, he must be continued where he was: that the case was the same with respect to Lord Sandwich. Or, if it should happen that the king could be prevailed with to give up Lord S., which he could not vouch for, he was sure it could not be done upon any other terms than that of a very honourable provision being made for him. That, in this case, whoever should come into the Admiralty, it must not be Admiral Keppel: that Charles Fox could not be received, at least immediately, into any of the high and confidential offices, such as that of Secretary of State; but that, as to any lucrative office out of the great line of business, such as that of Treasurer of the Navy, there would perhaps be no objection; that after the length he had gone, and the offences he had given, it could not be expected that his majesty should be immediately reconciled to the idea of a confidential communication with him; but that such a place as was suggested might serve him as a place of probation, and that it would give him opportunities of smoothing the way to a more perfect reconciliation.

"Thus far I am perfectly clear, not only as to the facts, but as to the colouring. This being reported to Lord Rockingham, he returned an answer of himself, without consulting with the party; my recollection is not clear as to the stipulations contained in it, but I think he stood out for Keppel, and insisted that the Duke of Richmond and Charles Fox should be secretaries of state. In all this, it does not appear that anything was said about Lord Shelburne. Upon Lord Rockingham's communicating the offer and the answer to the Duke of Richmond, the duke blamed him for including him in such a proposition; whether as meaning that he would not serve the king on any terms, or not on those terms, I did not understand. The duke intimated, at the same time, that there 'were other persons' (meaning, as I understood, Lord Shelburne himself) with whom, considering such and such things, it would have been but decent to consult. It seemed to me that the information of this negotiation had come to Lord S., first from the Duke of Richmond; though it

seems as if the matter had afterwards been the subject of discussion between the former and Lord Rockingham. The interpretation put upon Lord R.'s answer, whatever it was, is a matter of contestation between him and Lord S. Lord R. calls it an absolute rejection of the offer, and a virtual refusal to treat: Lord S. considers it as an acceptance of the treaty, and thereby as a sort of treachery, or, according to the footing they were then upon together, at least a violation of amity towards himself. Pitt or Pratt asking Lord S. what it was that in all this business Lord R. was expecting for himself, the answer was, Nothing that he ever heard of; clearly nothing, unless, perhaps, it might be that he had Ireland in view, on account of the advantage it might give him in thwarting the Absentee Tax; but this was not pretended to be anything but surmise. Was not this very creditable to Lord R.? From what I have heard of him, since I have been here, I am disposed to entertain a good opinion of him: I have heard a good deal against him in the way of general disapprobation; but as to any grounds for it, I have heard of none, but what appeared to me to be either inconsistent, nugatory, or unintelligible. Being asked what was to have been done for Burke, he answered that he was not clear; that certainly he was not to have been neglected, but that there was something of an inferior negotiation, in which he was more particularly concerned. The terms were so ambiguous, that I could not distinguish who were the parties, with whom he was meant to be represented as having been negotiating; whether the ministry, or the people of his own party; or even so much as whether he was himself a party to this under or interior negotiation, in which, in point of interest, he was represented as being concerned. There is a prodigious deal of ambiguity in the general tenor of Lord S.'s language on party subjects; whether genuine or affected I cannot be certain: I rather believe it genuine; because I find it the same on subjects in which party has nothing to do. As to the negotiation above-mentioned, it is scarcely necessary to add that the de-

mands on Lord Rockingham's side being such, no reply was given.

"In Burke's pamphlet on the affairs of Ireland, at least in one of his late pamphlets, if I do not mistake, he tells us that Lord Rockingham had not apprized anybody of his determination to apply for the audience he had about Ireland with the king. Lord S.'s account of that matter is, that about one o'clock on that day, Lord R. came to him, to take his advice about it, mentioned his determination to demand the audience, but that he wished for Lord S.'s advice about what he should say; and to know, in general, whether he approved or disapproved of it. Lord S. observed to him, that it was too short a warning by much, for taking a step of so much importance; for, considering what it was then o'clock, they should not have more than half-an-hour to deliberate upon it. I am not certain whether it was not that Lord R. wished Lord Shelburne to go with him: whichever was the case, he confessed to us that, from reasons regarding his own reputation, he declined taking a part either way, on a sudden. Considering the importance that it might appear to be of to the nation, that the king should hear what information Lord R. had to give him, he, Lord S., did not care to have it said that he had put his negative upon it; and, on the other hand, there might, for aught he could satisfy himself about on a sudden, be other reasons, which he did not state, especially why it might not be advisable to him to be known to have concurred in it."

"*Bowood, Monday Evening,*
"(half after 10 o'clock, Sept. 17, 1781.)"

"The whist-table is just broke up, supper is announced, the game at chess between Lord Chatham and Miss V——, is drawing near to a conclusion, and, while the rest of the people are hovering round them, waiting for the event, I have taken French leave of them all, and stolen up here, that I may be a good boy to-morrow, and rise betimes. This Lord and Lady Tracton are the queerest jigs you ever saw: my lord wears his bob-wig, black coat, and coloured worsted

stockings, and looks like a plain, stout, thickset country parson. My lady is a little shrivelled figure, of about sixty—with a hook nose, and ferret eyes, a long white beard, and a parchment mahogany-coloured skin—in a gray riding-habit, with a black hat and feather. Nobody speaks to her, nor she to anybody; she has been sticking close to her husband's side while he has been playing at whist, but would not play herself."

"*Tuesday Evening,*
"September 18th.

"We have, just now, a monstrous heap of people. Departed before breakfast, Pratt and the Pitts. Remain, Lord and Lady Tracton. Arrived before dinner, Lord Dartry and Colonel Barré, seemingly in company. Arrived before tea, Lord Camden, Miss Pratt his daughter, and a Mr Smith, now or formerly a captain in the East India service. The carriages came in together; but whether Smith belongs to Lord Camden and his daughter I cannot tell; no signs of converse between them have I seen. Lord Dartry is a chatty sort of man, and seems to know everybody; does not seem to trouble his head about party, but mixes with the Government as well as Opposition men. His wife is a good deal in favour with the queen, and often with her. She is of the family of the Penns. Miss Pratt is very fat; not handsome nor very young: but well-bred, conversable, sensible, and, as far as one can judge, good-natured. Lord and Lady S., Lord Tracton, Lord Dartry, and Colonel Barré, have been at the whist table; the rest of us round the book table, *à l'ordinaire*, except that, for the last half-hour, Lord Camden has been walking in a passage-room with Barré. With Lord Camden I have had, as yet, scarce any communication; but, while the women have been at their work, I, with my book before me, have been joining in conversation occasionally with his daughter; and Lords C. and S., I observed, were in close conversation for some time, with looks that seemed to indicate that they were talking about me."

"*Wednesday Afternoon,*
"8 o'Clock.

"This morning, before breakfast, Lord and Lady Tracton took themselves off. Joy go with them; they were a pair of c——d sangliers, the latter more particularly to my dear Lady Shelburne, whose footsteps I adore. Miss V——, alas! leaves us the day after to-morrow, without redemption. I forgot to tell you of a dinner visiter we had the day before yesterday, a Mr Talbot, a name he had taken from an estate, instead of Davenport. He is a young man, but lately come of age. He has been to Christ Church in Oxford, and has now thoughts of going into the army. His family house is in the neighbourhood—at or near Cosham, where Methuen lives; it is an old monastery—one of the most perfect, they say, in England; it is a vast place; and the estate, though a nominal £2,000 a-year, is so reduced by encumbrances, as to bring him in, it is said, scarce £500; so that a profession is absolutely necessary to him. The man whom he has his estate from, was obliged to fly the country for Italian eccentricities. In the young man himself there is nothing that seems remarkable.

"Barré loves to sit over his claret, pushes it about pretty briskly, and abounds in stories that are well told, and very entertaining. He really seems to have a great command of language; he states clearly and forcibly; and, upon all points, his words are fluent and well-chosen. Lord Dartry is also intelligent and entertaining. They were talking over Irish affairs this afternoon; their conversation was instructive: when they differed, as they did now and then, about matters of fact as well as opinion, it was with great firmness and urbanity. I put a word in now and then to keep the ball up, and to avoid appearing a perfect ninny: but it was pain and grief to me. My health is, somehow or other, in wretched order. I scarce know how to get up early enough; even six o'clock is too late.

"Hyde Parker, it is said, (this is Barré's story,) is not to have anything

at all. Being offered the command of a fleet against the Dutch, he demanded a reinforcement, but was denied. Afterwards a reinforcement was ordered: then he declared himself willing to serve, but then they would not let him. This, Col. Barré said, he had from an officer who is intimate with Parker, ‘Ah, Johnny,’ (said the old man to his friend,) ‘it was a rare bout; ’twould ha’ done thy heart good to have seen it; there was not a shot that did not take effect on either side.’”

“September 24th, Monday Evening,
half after 10 o’Clock.

“This morning, at eight, I received yours of the 20th; but let that pass. I will go on at present with my Journal. Thursday, nothing happened that I can recollect worth mentioning. No fresh visitors.

“On Friday, the prediction given of Miss V——’s departure in the last page was but too well verified. There was a little incident——no, I won’t go on with the sentence—a little piece of attention she showed me the night before, which, while it flattered my vanity, made me feel the loss of her the more sensibly.

“On the Sunday before, she and I had been playing at chess. Pitt, who did not play at the whist-table, and Lord Chatham, who cut in and out, had been occasionally looking on. After she had lost two games to me, which was as many as she ever had been used to play, she gave it up; whereupon Pitt proposed we should play, which we did, and I beat him.

“Finding he had no chance with me, he complained of its hurting his head, and gave it up immediately. Towards the close of the evening, Lord Chatham gave me a challenge. I accepted it. From something that Pitt had said, I expected to have found him an easy conquest, especially as there was something seemingly irregular in the opening of his game; but it was a confounded bite; for I soon found his hand as heavy over me as I ever have felt yours: in short, he beat me shamefully, and the outcries I made on that occasion were such as would naturally convey to other people

a formidable idea of his prowess. Now, what is all this to Miss V——? Why, the next evening, Tuesday, Pitt first proposed a game to her; they played, and I don’t know which beat, but, after playing one game, she declined playing any more. The words were scarce out of her mouth, when Lord Shelburne, from the whist-table, by way of saying something, called to me, as if pitying me for not being able to get a game. Upon that day, each of them proposed I should play with the other. After some *pour parlors*, as Miss V—— had before declined playing any more with Pitt, I thought it would be civiler to both of them for me not to make any proposal to her; so I asked Pitt, but he declined it, saying, as he did before, that his head would not bear more than a game at a sitting. Accordingly the chess board was laid aside, and we took to our books *à l’ordinaire*. About an hour, or an hour and a half afterwards, Lord Chatham, having cut out at the whist-table, came to the library-table and proposed to Miss V—— to play a game with him. She consented, and they had just time to play a game before supper. He beat her, of course, though not with so high a hand as one would have expected. Tuesday morning, as I told you, Lord Chatham went away; and, on Tuesday and Wednesday evenings, as Miss Pratt was there, and not playing at whist, I thought it not proper to say anything about chess to Miss V——. Well, now comes the mighty favour. On Thursday, towards the close of the evening, she called me to her, and asked me (which was what she had never done before) whether I would play a game at chess with her, observing that she had used me excessively ill in refusing me, and then playing with Lord Chatham. Mighty thankful I was, as you may imagine. We sat down immediately, and we were mighty sociable and merry; more so than I had ever observed her on any occasion before, inasmuch that Lord Shelburne, from the whist-table, took notice of it, adding, that whatever was the reason, he never saw her laugh with anybody so much as with me. When I talked to her about going, and asked

her what time it was to be in the morning, she said that I should not see her, for that it would be before I was up. Well!—and what of all this?—you will say; a fine long-winded story this is, *à la mode de Bentham*, to cook up about nothing at all. Why, to be sure it is; and if this had happened to some women, I should never have made any reflection on it, even in my own mind, much less have thought of boring you with it; but were you but acquainted with the girl, and *à portée* (as Clinton would say) to observe the extreme dignity, and coolness, and silence, and reserve, as much as is consistent with great good nature, (which it would be injustice to deny her,) you would then, and not otherwise, be able to estimate the value of any such little expression of complacency as I have been mentioning. Oh! and I have not told you either that it was by her means that I got upon the footing that I am upon of playing upon the harpsichord, (I mean upon the fiddle with the harpsichord,) every afternoon with Lady Shelburne; but that story I shall spare you: nor of the air of cordiality and attention with which she received the whisper in which I took my leave of her at night: in short, she actually took the sort of notice which no well-bred woman could have avoided taking of any man who was paying her a compliment of that sort. In the morning, you will have concluded, I made a point of being in the way to hand her to her carriage; but I did not, thinking it might be deemed an act of impertinence, and might give occasion to her maid, or people who did not know the great gulfs of a hundred and fifty kinds that are fixed between us, to prate.

“You can’t imagine what a reserve there is in the manners of this house, and how little there has been of gallantry towards her in the behaviour of all the men that have been here, young and old, as far as I have had occasion to observe.

“Lord Shelburne’s carriage took us but one stage; there it waited (it was at Malmesbury) for Miss F——, who is sent here from Warwick castle, (you

will excuse me, but it really is the Earl of Warwick’s castle at Warwick, and not Captain Donellan’s in exchange.) Miss F—— is a little girl, between thirteen and fourteen; a sister, and the only one, of the present Lord H——, who is about nine, consequently niece to C—— F—— and to Lady Shelburne, and great-niece to the Duchess of Bedford. The Duke of Bedford is now at this same Warwick castle; we shall hardly see him here, at least, I shan’t. She is very prettily made, and has already a very womanly sort of bosom, I assure you; as much so as a certain friend of ours at Brompton, notwithstanding the difference of age. By the by, I have a letter from that same friend at Brompton, who is a saucy slut, and tells me of her being just going to write to you, and that she likes you as well, ay, better, than she does me. Lord Shelburne introduced me to Miss F—— in a more particular manner than he did anybody else, as a favourite of Miss V——’s. We are very good friends: she, too, plays at chess; she is very fond of it. We played yesterday; and, I suppose, shall be playing every evening. She seems a good-natured, pleasant kind of girl; but has not much to say for herself, as yet, as you may imagine. Her face—I had like to have forgot her face—is far from an unpleasant one; but the form of it, which is rather too long; a mouth, which is the F—— mouth; and a set of teeth, which, though white, are rather too large, save her from being a beauty.

“On Friday, at dinner, we had again Mr Bull and Captain Onslow; and now, for the first time, a Mr Brooke, who was upon a visit to Mr Bull. Brooke is, or has been, something in the law; probably at the bar. I have a notion of having seen him taking notes in the King’s Bench—a little, dapper man, with a sharp face. Captain Onslow told me that Brooke had lately met the Q. S. P.’s at Bath, drinking tea at Mr Poole’s; a man who is a son of Sergeant Poole, had a good fortune, but was once at the Crown-office with Abbot. Brooke has a house somewhere in this country.

“On Saturday there dined with us, a Mrs Johns. Mrs Johns was a sort of

dependant of Lord S.'s first wife; lives gratis in a little house of my lord's close by; is a Methodist; comes a-begging to great people for money to give in charity; is a conversable woman, who has seen the world, and has court connexions. She has distributed money for the queen; and, though she has the dress and appearance of an upper servant, has had correspondence with all manner of great people, and could be made use of occasionally to put news about. This is the account Lord S. was giving me of her.

"On Sunday, nothing happened that I recollect.

"On Monday, Lord Dartry left us: it was he that pushed the bottle about, and not Colonel Barré. I beg the colonel's pardon. He is a valetudinarian; finds it necessary to have a bottle a-day in his guts; is fond of religion, and of cards; does not know very well what to do with himself; hunts out oddities and knick-knacks, and frequents auctions.

"On Tuesday, in the morning, Captain Smith took his departure. He was once an East India director; he has a house in Bloomsbury Square, and another at Ashted, near Epsom. He found out that I was profoundly conversant with E. India affairs, (you know how profoundly,) offered me access to unedited maps and MSS. of various kinds, and gave me pressing and repeated invitations to both his houses; mentioning connexions that he had with people who were philosophical men, and would be glad to be acquainted with me. Shall I go? I can't tell; we'll talk about it. He wrote a pamphlet once on India affairs, which Lord S. had taken notice of as one he approved of mightily, and never knew Smith to be the author till Monday night. It is entitled—'Observations on the Present Posture of Affairs in India,' 8vo.

"The same morning, Lord Camden and Miss Pratt went off to Beckford's at Fonthill; but they return to-morrow, or next day. Beckford, I told you before, was to have a grand fête on the 27th or 28th, upon his coming of age. Lord Camden went yesterday, in order to be before the fête; I suppose on account of Miss Pratt's not being prepared

for it in the article of clothes. Lord Shelburne goes on Friday and returns the next day. Lord Camden likes all these bustles; Lord S. not. Nor would he go, I believe, but in view of fixing or drawing young Beckford into his party. Between him and old Beckford the alderman, you know, I suppose, that there was an intimate connexion.

"This was the day that Lord S. was to give the second and last treat to his corporation people; the first had been given since I have been here. Having missed that opportunity, I was very glad of this occasion of being witness to such a scene. I accordingly went and dined at Calne with my lord and Colonel Barré. We drank tea at Mr Bull's, and, coming home, found Mrs Dunning. She had left her husband at Bristol, and he is expected on Friday or Saturday. She plays on the harpsichord most divinely. I have just been accompanying her.

"Well, but I must go down—Miss F—— is waiting for me. Parson Townsend came to-day to dinner; and now we shall probably settle a day for Lord S. and Barré to go and dine with them; and that will probably fix the date of my departure from this place. What do you think I heard from Barré yesterday in the coach? that Mrs Armestead had taken, or bought, Lady Tankerville's, on St Anne's Hill; so that you will have her for a neighbour. Who pays for it, whether Lord Derby or the prince, I have not learnt. Send these two sheets to Davies, as soon as you get a frank, together with all the others which are not exclusively to yourself. The copying machine does not do."

"Bowood, 28th September, 1781.

"One of Lord Shelburne's channels of American intelligence, is through General Grey, with whom he appears to be on a footing of some intimacy. Grey is, at present, at Plymouth, and from thence sends him letters which he (Grey) has received from America. Lord Camden was giving instances that have come very lately within his knowledge of the freedom used at the Post-office with letters that come from thence. In one letter, which he seemed to have seen.

a part was actually cut out; but it was managed so clumsily, that what remained announced the contents of what was taken away. Lord S. was telling me, upon a former occasion, that there was a whole department in the office on purpose for that business.

"The same accounts still continue that we have heard before, of Clinton's eccentricities: that he shuts himself up for three or four days together, and is seen by nobody. It seems to be true that he has recalled Lord Cornwallis, either through jealousy or necessity. A paper received by Lord S. makes Washington upwards of 11,000 strong, including 4000, and, I think, *two* hundred French, but exclusive of militia: pieces of cannon, eighty-six. I saw the particulars in his hand; but I must not think of copying. There was a talk of 7000 or 8000 militia. Clinton was said to have about 9000 men that he could spare from posts and garrisons. Washington's vicinity straitened him, it is said, for provisions; and that was mentioned as the chief reason for his recalling Cornwallis.

"When Lord Bristol came here, it was, as he said, to thank Lord Shelburne for favours; I mean the share he had in getting him the bishoprick. When the late Lord Bristol was Lord-lieutenant, the bishoprick being vacant, he got a promise of it from the king. Meantime, Lord Townsend succeeded; and he, regardless of his predecessor's promise, made interest for somebody else. Lord Shelburne, when Secretary of State, reminded the king of his promise, and obtained the necessary document, which he sent over without delay. After this, Lord S. thought himself well entitled, upon the present occasion, to ask Lord B. for an Irish living, which he wants just now to satisfy the cravings of a man of Calne, who has a son a parson, and whose political chastity is assailed by Robinson of the Treasury. Lord Bristol changed the discourse, and would not hear him. This is exact: having heard Lord S. repeat it two or three times, Barré says, and says it seriously, that now he has some chance; but that, had Lord B. promised, he would have

none. Everybody seems to be agreed about two things: that he is touched in his noddle, and that he draws a long bow.

"Lord Dartry says, the Irish exports, by the last accounts, were four millions a-year. Barré doubts, but Lord Dartry insists. Barré says he will write over to know.

"Some time after Lord Hertford had been Lord-lieutenant of Ireland, umbrage had been taken by the House of Lords there at something relative to one of their clerks. Being closely interrogated, he confessed at length, with much agitation, that the profits of his place were not what they might seem to be; for that, on being appointed to it, he had been forced to undertake for paying so much to Lord Beauchamp, whether a gross sum or an annuity, I forget. The House, therefore, transmitted a state of the case, with a complaint, to be laid before his majesty. It came, as in course, to Lord Shelburne; he being then Secretary of State. Lord S., from a notion of decency, thought proper, before he presented it, to give notice to Lord Hertford. He, accordingly, wrote a note to Lord H., saying that he had some particular business which he wished to talk to him about, and that he would be glad either to wait on him or to receive his visit. Lord H., little thinking how nearly it concerned him, gave rather a cavalier answer, appointing Lord S. to wait on *him*. What passed afterwards was slurred over in an obscure way, as usual; but so it was, that the complaint was stifled (as Lord S. says he must acknowledge to his shame,) and never reached the king. This is odd enough; for how came the Lords, when they saw it stick, not to follow it up? This was told after dinner to-day, in presence of all the company, except the ladies. Lord Beauchamp, it was also said, rides an Irish bishop. This the bishop bolted out one day, out of patience with hearing himself accused of stinginess for not living up to the apparent value of his income.

"Lord Dartry says, Penn, the proprietor, is living in Philadelphia in a state of the utmost indigence. After

paying rent-charges created in favour of younger children, &c., or what encumbrances there are, he does not receive so much as £200 a-year. This is what Lord Dartry is in a way to know; Lady Dartry being a great-granddaughter of the first Penn's."

"Saturday, September 29.

"On Thursday, (27th,) pretty early in the morning, came from Bath a Mr Hodgson: he was kept to dinner; and Lord Shelburne, not to be bored with him, consigned him to my hands. He is going on a secret expedition, the destination of which appears clearly, from circumstances, to be some place in the narrow part of the Spanish main. He is to have the conduct of it, together with the command of a regiment, and is to embark in about a week from Falmouth. His business at Bath was to settle some matters relative to it with Knox, Lord G. G.'s secretary. Dealing in generals, he says it will be but a small affair at first, but he hopes it will swell to something greater: doubtless by the accession of Indian, or other malcontents, as you will see. From circumstances which it would take up too much time to enumerate, he was led to place a confidence in me; and even, however odd it may seem, to look up to me as a sort of protector; and, in consequence, he gave me, for me to give to Lord S., two papers open, of which the following are extracts.

"One is a copy of a letter to Lord Hillsborough, dated September 10, 1781, in which he speaks of his having been informed that he is again to be sent on service, and therefore desires Lord H. would witness for him to Mr Knox of the truth of the following particulars:—

"'1st, That the first matter which brought him to his lordship's notice was a survey he took,' (when employed as an engineer,) 'of all the Spanish coast, from Honduras to Puerto Bello, together with a geographical account of it; which,' says he, 'were put into your lordship's hands, and I never made any other use of them.

"'The next was the manner in which I ventured, against every local opposi-

tion, to execute the 17th article of the peace, by which I gained the time for your lordship's interposition in favour of the Mosquito shore to have its effect—that of saving it to the crown.'

"He then speaks of 'the manner in which he afterwards undertook the *superintendency* of that country; that he was asked to go; that some time after, when he had again come into his lordship's hands, he made no hesitation, at his lordship's instance, at leaving his military commission behind him, and going out in a manner which his lordship thought better for the public service.' The case was, I suppose, that the treaty did not allow his going out in a military character, and so he was to *hug* the Indians underhand. He talked to me about the open house he used to keep for the Indians.

"That after his accepting his 'letter of instructions,' his lordship presented his memorial to the king, for military rank.

"Lastly, that he was turned out of his superintendency in the manner stated in a letter to Mr Knox, which he encloses. I should have said, he began with observing, that what Knox himself could know of him was little more than that, as far as his conduct had relation to the late sad Nicaragua expedition, it had been satisfactory. (In talking, after dinner, he computed the loss in men to be 4000, including what were lost with Walsingham; and in money £500,000.)

"In the other letters to Knox, dated July 28, 1781, he refuses having any concern in the expedition in question, with one Lawrie, who appears to be the present superintendent. He says, that Lawrie is ignorant and incapable; that he has been labouring under a proclamation, under the great seal of Jamaica, for forgetting his allegiance, and erecting a new government; and was also officially accused by 'him (Hodgson) to the Secretary of State, of rebellion.' That Lawrie got Hodgson turned out of that place, and himself put into his room, by alleging that he was absent from his duty, and so the country left without a superintendent; when, in truth, not only was he there all the time alleged, both

before and after, but another person was sent by the king to be his '*locum tenens*,' in case of his 'coming home to give informations;' and that Lawrie had imposed upon the Board of Trade, (on that or some other occasion,) 'as an answer from Hodgson to his memorial, a paper written a year before that memorial.'

"H. is to write Lord S. an 'account of his expedition,' and there is a chance of his letters being addressed (enclosed at least) to me.

"Hodgson told me he was first of all taken up by Lord Shelburne, but what appointment he got from him at first does not appear. Afterwards, he says, he was to have been the man with whom, in connexion with Maclean, the business was to have been managed with the Marquis d'Aubarede; but, upon examination it was found that d'Aubarede had undertaken far too much, and that he had not the credit with the people he pretended to have."

"October 3d.

"Upon mentioning this to Lord S., a day or two ago, as what Hodgson had told me, he did not directly confirm it; but he denied it in such a manner as made me rather conclude it to be true. Speaking of him in company, Lord S. said, he had given him a little place, but did not mention what. He must have meant, I think, the superintendency Hodgson mentioned in his letters. Lord S. says, he is a little maddish; it may be so, but I see nothing but what appears to me full as sober and consistent as anything about his lordship. His writing, indeed, is bad, but his discourse is better. His knowledge seems to be pretty extensive, and his observations just—his constitution is of iron; which is a capital point in the service he is to go upon. He went once to Omoa with a flag of truce: thirteen men whom he had with him all died. Another time, of three who went out hither, not one came back. I asked Lord S. whether there was anything against him; he said no. Yet, although he has constantly corresponded, which is all that a man in that situation could do, he seems not to be in favour.

"1781, September 29.—Miss Pratt,

Bowood, to J. B., *ibid.* Challenge given indrollery, under the name of Brookes:—

"SIR,—Your ungentlemanlike behaviour, the last time I dined at his lordship's, did not pass unnoticed. I am, sir, a man of *honour*, though, I believe, *you* did not think so. *Sir*, behind the lodge is a convenient place, where I shall expect you to give me satisfaction for winks and nods, and, in short, sir, behaviour that I don't understand, and won't take tamely. Swords or pistols, choose your weapons, as they are equal to your humble and offended servant,

"J. BROOKES.

"*Calne, September 29th.*

"By seven o'clock to-morrow I shall be at the place appointed. *No seconds.*"

BENTHAM TO HIS FATHER.

"Bowood, 30th September, 1781.

"Sunday night, half after ten.

"HONOURED SIR,—To-day, at dinner, I had the favour of yours of the 29th, as to my not seconding my last letter sooner. My own reproaches anticipated yours; but the fact is, it is with the utmost difficulty I have been able to find time for even this short tribute of duty, whatever it may prove. All the time I can get in the morning before breakfast, I find it absolutely necessary for my health to devote to exercise. Nor is even that always enough; for between breakfast and dinner, even although there should be no party made for anything, I sometimes find it necessary to get on horseback and shake myself. It is but now and then that I have been able to get a morning to bestow upon any book, or on a few letters which, for one purpose or another, I have had occasion to write. After dinner, while the gentlemen are still at their bottle, I steal away to the library, where I meet Lady Shelburne, and wait on her to her dressing-room: there we have music of some kind or other, unless there happen to be ladies in the house who are not musically disposed. When the gentlemen leave the dining-room, or, if the weather permit of it, have done walking, we meet

them again in the library to drink coffee; after which, unless Lady Shelburne wants me to make one at whist, it is absolutely necessary I should be in readiness to play at chess with Miss F., whose Cavaliere Servente I have been ever since she came here from Warwick castle in exchange for Miss V—. Our company consists, at this present writing, of the persons following:—Lord Camden, Miss Pratt, and Mr Pratt, (his Lordship's son and daughter,) Mr William Pitt, (Lord Chatham's brother: there are such a heap of Pitts, it is necessary to distinguish,) Mr Banks, (your Banks,) Colonel Barré, Mr and Mrs Dunning, Mr and Mrs, and two Miss Sturts, (Sturt, member for Dorsetshire,) Miss F—, (the daughter of Stephen, the late Lord H—,) I have already mentioned. All these, Miss F— excepted, are actually at supper. Mrs Dunning came on Tuesday; she is just ready to fall to pieces. Mr Dunning to-day after dinner, very much fatigued with the hard work which you have seen and heard of. Mrs Dunning is a perfect mistress of the harpsichord, and a very agreeable woman, though not very young nor handsome; but that's Mr D.'s concern, not mine. Miss Pratt sings extremely well, and plays on various instruments; she is lively, sensible, good-natured, and has every accomplishment but beauty, in which, however, she is not remarkably deficient. Miss F— is a sprightly good-natured little girl, not fourteen, but forward for her age; she too plays on the harpsichord.

“Monday, half after ten at night.”

“By to-morrow a whole posse of people will be gone, some of them to my very great regret, among them Mrs Dunning and Miss Pratt. Mr and Mrs Dunning went off in a violent hurry this morning, under the apprehension of Mrs D.'s being brought to bed. If it had not been for this accident they would have staid some time. I had not an opportunity of exchanging ten words with him, so that I had not time to make an acquaintance with him, which was what, for Mrs D.'s sake much more than for his, I greatly coveted. Miss Pratt,

while she was here, drew Miss F—'s picture, and has just been making me a present of it. Before coffee was over, they made me leave the company, and come with them into Lady Shelburne's dressing-room, where we very frankly avowed to one another our regrets at parting. There we had been about an hour, when Lady S. stole away from the company, and staid with us almost another hour, leaving the Sturts to take care of themselves! She took the precaution, however, to cut them out employment, some at cards, some at chess, that they might not come and interrupt us. They are but odd sort of people: Miss Sturt has been suffered to fancy she plays in a superior manner upon the harpsichord, without having the least notion of it. Would you have thought of my being in such favour with the ladies? yet so it is; and, to crown all, it was under favour of a good word which was put in for me by Miss V—, notwithstanding all her reserve, that I first got the entrées of this same dressing-room, which I am so fond of.”

“Tuesday morning.”

“This morning departed Lord Camden and Miss Pratt, the Sturts, Will. Pitt, and Banks; it was the first time of Banks being here. Mr Pratt stayed after the rest, but goes away to-morrow. Mr Hamilton is expected here in a day or two. It was at Fonthill t'other day, I believe, that Lord Shelburne first met with Banks; and it was from seeing him with Pratt and Pitt, who were come with him from Kingston Hall, (Banks' house,) that he took occasion to invite him here. There he likewise saw Count Cernichef, and had some conversation with him, but did not invite him hither, though, as he says, he ought to have done it. It was rather odd he did not, considering the notice he takes of foreigners in general. The reason he mentioned was, the awkwardness of his having his Polish tutor with him. Some little time ago, I had the pleasure of hearing of you from a Mr Brookes. You know, I suppose, that I must be at Oxford before the 17th, and on what account. I wrote to Poore, as he

desired me. How I shall be disposed of in the mean time, I do not exactly know; but my paper is at an end. Pray send me back Wilson's letter.—Yours, &c.

“JEREMY BENTHAM.

“JEREMIAH BENTHAM, Esq. at Bath.”

BENTHAM TO GEO. WILSON.

“*Bowood, October 2d, 1781.*

“It was a cursed foolish thing of me to set myself such a task as that of sending you a diary of everything that passes here; and, now, I do not recollect where I left off. Oh, I think it was on Saturday that I despatched my letter, and I think I told you of Banks coming in from Fonthill, with Pratt and William Pitt.

“Sunday, September 30th.—Came in to dinner a whole heap of Sturts, likewise from Fonthill: Mr and Mrs Sturt, Miss Sturt, a girl of seventeen or eighteen, and Miss Eliza Sturt, about eleven. Banks, it appeared, is intimate in that family. After dinner came in Dunning, piping hot from Bristol.

“Monday, yesterday, 1st October—a party of us went to Methuen's, at Cosham, about five miles from this place, to see his pictures. It is a famous collection, made by Sir Paul Methuen. The family were not at home: they are at Lord Boston's, who married a daughter of Methuen's; I should have said Methuen's daughter, as he has but one. The party consisted of Lady Shelburne, Lord Camden, Miss Pratt, and Miss F——, in Lord S.'s coach; Pratt, Pitt, Banks, and your humble servant, on horseback. On our return, to my great mortification, we found Mr and Mrs Dunning were set off for London. It was absolutely necessary. Mrs Dunning and her maid were expecting every hour to fall to pieces.

“Tuesday, October 2.—In the morning, before breakfast, Lord Camden and Miss Pratt went off for Herefordshire; Banks and Pitt for Kingston Hall, Banks' house in Dorsetshire; the Sturts to their house, which is four miles from Kingston Hall.

“Wednesday, Oct. 3.—This morning, before breakfast, Pratt went off for

Bath, where he is gone to cultivate his belly: so that there is nobody left but Barré and I. Sir E. Bayntun has been breakfasting here. One would think he came here as a spy of the court; for he always comes at breakfast; the time that people are collected together. This is, at least, the sixth time of his breakfasting with us since I have been here.

“I see, by the Dutch papers that are come to-day, that the Dutch despair of saving their *Prince William*. This will be a great loss to them, as she is one of the most capital ships they have, or can have; a seventy-four.

“Affairs seem to wear a very unfavourable aspect in Minorca. Barré's character of Murray is, that he is obstinate and wrongheaded, but brave to desperation. He has seen a letter from Draper to a person here, who is a government man. Draper says that the effective men in garrison are but 1500 regulars; consisting, upon Barré's computation, of two battalions English; three of Hanoverians: upon paper, 2400. The Spanish account speaks of 400 of the latter deserting. God forbid this should be true! Draper writes that, with infinite perseverance, he has succeeded in putting and keeping himself upon good terms with the general; but that he is the only man in the island who is so, reckoning as well the army as the inhabitants. Barré, who has been in the island, speaks of Fort St Philip as being excessively strong; the garrison covered everywhere in a surprising manner: that the fault of it, if it has any, is that of being overworked; the souterrains so intricate, that a man must have a better head than the governor to understand them.

“This morning (Wednesday) I received yours of Saturday, September 29. As to all that concerns my adventures in the family, and the footing I am upon, I must be as concise as possible; there would be no end in giving the details; and, as these are things there is no danger of my forgetting, there is no occasion for it. What I fill my letters with, in preference, are anecdotes concerning persons, places, number, weight, and measure—which, relating to persons I have no personal acquaintance with,

and therefore making but a faint impression, might be lost, if they were not quickly consigned to paper; temporary ones more especially, as, for example, the foregoing. The greater part, however, are inevitably lost, either on account of their being but imperfectly heard, (for my hearing is, in reality, very dull,) or but imperfectly related; the relations having their reasons for not being perfectly explicit, or, in short, but imperfectly remembered. A disadvantage I labour under is, the want of power to cross-examine. A thousand considerations intervene to limit the exercise of this power, which, however, I do exercise, at least as much as is agreeable to the deponents: the fear of being troublesome; the fear of galling them, by obliging them either to give an answer, apparently evasive, or to betray anything which would subject them either to disrepute, or some other inconvenience.

"Suffice it that I tell you, in very general terms, that with Dunning I could have no communication; there was no time for it, except a joke or two, which the devil tempted me to crack upon him, immediately upon his coming in. With Lord Camden I had but little, for reasons I will tell you at large; with Miss Pratt, who is a charming girl in every respect but beauty, pretty much. She has given me a sketch of Miss F—— in crayons, which she was two days about; it is not ill done, considering, and has some resemblance. With Mrs Sturt, who is a good, fine woman, at the age of forty-two, after bearing eighteen children, fourteen of whom are alive, I had a little flirtation, but left her after seeing a little more of the *ton* of the family, which I did not like. With Sturt I had some general conversation; but saw nothing about him that made him very interesting to me. With Barré, although we have few ideas in common, I am upon terms of some familiarity, owing to the good nature and companionableness of the man. Dunning's health seemed not so much amiss, notwithstanding the fatigue he underwent at Bristol; he had got up a good deal before that happened to throw him back; and, the morning he went away, he told me he had already

recovered himself to a considerable degree. All these are heads for you to examine me upon: as such, I set them down without further particularity.

"As to my health, it is still but so-so; but I promise myself something from the ease and comfort of Thorpe, and something more from the winter, which seems to agree best with me. For a long time I had no notion of riding out, because my lord did not ask me; but at last I found out that his reason for not asking people to ride out with him was, that all he rides out for is to superintend his workmen, which takes up all his attention for the time, and is rather sitting on horseback than riding; since that, I have taken heart of grace, and ride out almost every day, before breakfast, independently of casual excursions in company. As to the Duke of Bedford's being an Opposition-man, I understand as much from Lord Shelburne.

"I desire no reflections upon Miss Mercer; it is the greatest satisfaction to me imaginable to hear of handsome girls falling in love with ugly fellows. Alas! poor Clarke! commend me to them and the St Pauls, with whom I please myself with the thoughts of spending a comfortable day or two ere the month is out."

"*Bowood, October 7, 1781.*

"Yours of the 29th September, I think, I acknowledged in my last, which I believe was dated Wednesday, the 3d instant; since then, nothing very particular has occurred in this place. That same day, I think it was, came Hamilton (of Payne's Hill) and his wife, from Bath. Lord Shelburne sent his carriage for them, and sent them back yesterday. Hamilton has been giving his assistance in laying out the grounds here. He is an old man of seventy-five or seventy-six, and is, besides, very much afflicted at times with the stone; but this time he was very cheerful and alert. There came, at the same time, a Mr Tonge or Tongue, who has no connexion with them, but, as it happened, came and went on the same day with them: an insipid, insignificant man, who lives at Bristol. I could perceive no other bond of con-

nexion than the circumstance of his once having rented a house about a mile from Lord Shelburne's, which his lordship has just pulled down.

"On Thursday, came General Johnson, a neighbour of Lord Shelburne's: he is equerry to the king, and has been in waiting. He is an old man; is deaf at times; and has got the nickname (so I learned by accident) of 'Old Sulky'; he travels in a leathern conveyance of the same name. The account he gives of Governor Murray, quadrates very exactly with that which Barré was giving, and, being a government man, may the better be depended upon. He has a son there, to whom, he acknowledges, Murray has been very kind; so that there does not appear to be anything of passion to corrupt his judgment.

"Since my last, I have received a letter from Q. S. P., at Bath, in which (blessed be God therefor) he tells me there will be no occasion for me to go to Oxford; for that C. Abbot has no competitor, and looks upon himself as sure. I had asked him about the price of woollen cloth, which, I had heard from Barré, was as cheap there as broadcloth in London, viz. 18s. Q. S. P., upon inquiry, confirmed that idea, and offered me a coat of it as a Bath present; so away go I on cock-horse to-morrow morning, to be measured for it. I shall return in the afternoon.

"A day or two ago I received a letter from Sam,* dated Catherineburgh, and Nigriaghill: the bad news it contains is—that he has lost a portable barometer, and gold to the value of £13 or £14, by the breaking of a phial of quicksilver by the overturning of a trunk; the good news—that the model of his plane-engine is finished, and succeeds to the satisfaction of everybody; the engine itself would have been finished, but for a vacation of six weeks, which the workmen have on account of the harvest; the time for which, in that country, being very short, requires as many hands as can be mustered. I wait only for Parson Townsend, to quit this place. I cannot

think what has become of the man; he leaves me in an awkward predicament. He was to have been here on Wednesday. There is now nobody but Miss F—— and Colonel Barré. Adieu. I send you a frank for Davies."

BENTHAM TO LORD SHELburne.

"October 18, 1781.

"Since my arrival at my 'villa,' (a subject on which the public prints have been scandalously silent,) I have been honoured with two testimonies of your lordship's kind attention. In the first I am told that 'all Bowood desire to be remembered by me:' as if any part of Bowood could ever cease to be remembered by me, while gratitude, or any quality I could ever value myself on, remained in me. In the latter, I am informed that my 'Bowood friends are impatient to know how my hand does.' These reproaches, as they might seem if literally taken, for not writing, may, I think, upon the fairest and least flattering interpretation, be construed into a permission to write. In this light I avail myself of them: for without some especial warrant, my lord, I should hardly have ventured to have given you any trouble with my pen, in addition to the unconscionable bond which particular circumstances, and the kind injunctions on your lordship's part, which they gave birth to, were the means of my laying on 'all Bowood' by my company. I had indeed, as I have still, a pretence for writing in store, which I treasure up accordingly: I mean the commission I was honoured with to Colonel Skene; but it may be some time yet before I may have anything to say to your lordship on that subject. The time of doing it, I take for granted, is not very material, so as it be in the course of three weeks or a month; that is, till your lordship comes to town at the meeting of parliament. I shall, therefore, look upon myself as being at liberty, as things stand at present, to defer going thither myself for a week or ten days, by which time I hope to have put off the guise of an invalid. At present, though I make with some difficulty such use of my hand

* His brother, Sir Samuel Bentham, then in the Russian service.

as your lordship sees, it is still so tender that I am obliged to attend to every motion I make. If, however, any reason should occur to your lordship, for wishing me to see the colonel sooner, any intimation to that effect shall be obeyed the instant I am apprized of it. In the meantime, I have written to Mr Hodgson to inquire where Colonel Skene is to be met with. Having no answer, I suppose he had left London before my letter got there. I am concerned for the poor captain : henceforward, should he ever feel bold enough to mount again, your lordship, in order to act the more completely the part of the good Samaritan, would do well, I think, to 'set him upon your own beast,' meaning either Lord Abingdon's or Mr Miller's : upon either of these he would be comparatively safe ; for, granting that he might stand a chance of stumbling every other step, yet I have too good an opinion of their prudence to suppose that either of them could ever be prevailed upon to rise to a pace sufficient to make a tumble serious.

"As to the fiery courser which stands at present dignified by his name, I would humbly propose that he be new christened ; and that some man of skill and spirit—myself, for example—be pitched upon for his godfather ; in which case, I would further move, that an act of

oblivion be passed at Bowood, forbidding, under the severest penalties, everything that could tend to revive the memory of the Corsham expedition.

"I beg my most respectful compliments to Lady S. and Miss F. ; it would be a most flattering circumstance to me, if I could persuade myself that they, or either of them, were actually, as well as virtually, included under 'all Bowood ;' and that they or either of them—I speak as a lawyer—took any distinct and individual part in the kind remembrances that were sent me. I am particularly anxious to know whether Miss F. has found anybody to give check to since the only man she could depend upon in that way has had the misfortune to quit her service ; whether, for example, the gallant colonel, after the rebuff I was witness to, has ever mustered up courage to face her during any of the truces of the cribbage table. If I have entertained anything like a wish on the affirmative side, it must be acknowledged to be an effort of the highest generosity, the colonel being too formidable a rival not to destroy any chance I might otherwise have of procuring an odd corner in her memory. Missing the chess-board, it is possible that, for a week or so, she might be led to bestow a straggling thought upon the once happy man who used to sit on the other side of it."

CHAPTER VI.

1781—1785. ÆT. 33—37.

Reminiscences of the Visits to Bowood.—Lord Lansdowne: the Waldegraves: the Bowood Ladies.—Camden and Mansfield: the Pembroke: Sir James Long: Townsend the Traveller.—Notice of Goldsmith.—Lord Dunmore.—Correspondence with Anderson, Stewart, Villion, Trail, Wilson, Swediaur, Symonds, and Townsend.—Extracts from *Commonplace Book*.

THE attachment of Bentham to Lord Shelburne was very strong. "He raised me," I have heard him say, "from the bottomless pit of humiliation—he made me feel I was something." Of Lady Shelburne, (the present Lord Lansdowne's mother,) Bentham said—"She had the best, highest aristocratical edu-

cation possible. She was as gentle as a lamb ; she talked French, and understood Latin extremely well. She was often with that lady who was a sort of queen among the aristocracy, Gertrude the Duchess of Bedford. Lady S. was quite a personage in those days, a governing personage. So wide was their

circle, that cards from no less than nine hundred visitors were left in a season."

Often did Bentham speak of the friends, the acquaintances, the guests of Bowood. I know not how I can better introduce them than in that sketchy and conversational way in which he was in the habit of conveying his recollections. When any name was mentioned, it served as a sort of text from which he preached; and it was my usage to record his talk, sometimes in shorthand in his presence; at other times, immediately after I had left him.

"Lord Shelburne introduced Blackstone to the king—it was the best thing he could do under the circumstances; his book was then 'The Truth.' When the *Fragment* appeared, Lord Shelburne patronized the *Fragment*, which seemed better Truth. He was a favourite of the king, who promised to make him a duke. I do not know how he was originally brought into contact with the king, but I think it was through Lord Chatham, and he considered himself as always having a hold on the king's affections.

"Now I'll tell you the persons by whose means he was informed of everything that passed. They were the two Lady Waldegraves, the daughters of the Duchess of Gloucester. You know Lord Waldegrave's *Memoirs*, how interesting they are. Well! these ladies lived at Court—ladies of honour, or some such thing. In the year 1789, I made a bit of a tour with Lord Lansdowne. We went to Warwick, where we stayed a week: these ladies were there also on a visit. The party were, Lord Lansdowne and myself (men,)—the ladies, Miss V. and Miss F. There was another lady, living with the queen, a Lady Dartry, the wife of a banker at Dublin. When I knew her it was at Bowood with her husband, whose name, I think, was Dawson; he was afterwards raised a peg on the peerage, called Viscount Cremorne; and as Lord Lansdowne was indebted no less than £300,000, a great deal of it came from this banking lord, and from Sir Francis Baring. Well! and you see these Ladies Waldegrave used to write to the Miss V——s, and report what passed at court. Lord

Lansdowne did not tell me on the occasion, but he told me, on after occasions, that he knew all that passed, through this channel.

"Blankett* was a retainer of Lord Shelburne, one of the numerous hangers-on who were tale-bearers to my lord, and was familiar with the Whigs. He was an ignorant, confident, amusing fellow, an object of great aversion to the Bowood ladies from his coarse manners. But he was employed by Lord Shelburne to repeat to him what passed among the Whigs, and especially to report the conversations at the Admiralty. I was once playing a duet with Lord Shelburne's upper servant, when this Captain Blankett pushed against me. I lounged at him with my bow, and broke my bow. He was always talking about a vast continent in the Pacific. We had a dispute about the relative size of Sicily and Ireland. He would have it that Sicily was the biggest. But though ill-read and assuming, and addicted to falsehood, rather from temerity than mendacity, he was a necessary instrument to Lord Shelburne; and Jekyll, whose wit obtained him a welcome everywhere, was another instrument. They were to watch in the quarters of the enemy.

"Lord Shelburne used frequently to say, 'Tell me what is right and proper—tell me what a man of virtue would do in this matter.' I told him that Balak, the son of Zippor, wanted Balaam to prophesy, who answered, 'that which the Lord puts into my mouth will I prophesy;' and that was the answer I made. He caught hold of the most imperfect scrap of an idea, and filled it up in his own mind—sometimes correctly—sometimes erroneously. His manner was very imposing, very dignified, and he talked his vague generalities in the House of Lords in a very emphatic way, as if something grand were at the bottom, when, in fact, there was nothing at all. He asked me what he could do for me—I told him, 'nothing;' and he found this so different to the universal spirit of those about him, as to endear

* This gentleman, so frequently mentioned, was John Blankett, captain, R.N., in 1780, and admiral in 1799. He died in 1801.

me to him. He was afraid of me, so there was not much intimate communication. I was occupied in writing and reading between breakfast and dinner, while he took walks with the eldest Miss V—— (now Mrs B—— S——.) I seldom saw him except at dinner, when there was mostly company. Supper I never took, but betook myself to my room. I was of more importance, however, to him, than I could bring myself to believe. I was cowed by my past humiliation.—I felt like an outcast in the world.—I had known a few tolerable people, one at a time, but no extensive acquaintance. That a man should be born in the great place called ‘abroad,’ was a sufficient recommendation.

“Lord Shelburne had a wildness about him, and conceived groundless suspicions about nothing at all. I remember going to ride out with one of his servants, and being accosted by some man, whom I spoke to out of pure civility; and, on mentioning it to Lord Shelburne, he seemed to think I was deserving of suspicion. About the last time I was at his house, I mentioned something about Count Woronzof, and he fancied I had been sent by Woronzof to communicate it. Yet there was about him a good deal of sympathy, of intelligent sympathy: a curious mixture too of what was natural and what was factitious. He had a sort of systematic plan for gaining people. I was quite surprised to find the interest he had shown towards me. The particulars did not immediately occur to my thoughts, nor did I immediately gather up the threads of them till long afterwards. He had many projects for marrying me to ladies of his acquaintance.

“It was a fine thing for my father when Lord Shelburne, being minister, sent for me. Nobody was there but Barré. Lady Shelburne talked in a strange way. When speaking of a palsy which had visited somebody on the continent, she said—‘It had left nothing but an imperceptible haziness on the tongue.’ The green official boxes were brought in, and their contents were subjects of conversation that was delightful to me.

“Lady Shelburne’s dressing-room was next door to her bedroom. To follow her thither was a prodigious privilege. She was extremely reserved; there was nothing in her of active insolence; she was mildness and ice: but of extraordinary altitude. Her sister was more icy even than she. Acquaintance, however, somewhat melted both, and we had our innocent gambols. In earlier life, Lord Shelburne had been rather promiscuous in his attentions to females; he had, to use his own expression, a place full of women: but he was now exclusive in his attention to his lady.

“The ladies at Bowood were all taciturn, reflective, and prudent. The youngest had somewhat more of frankness and less of beauty than the rest. Miss—— resembled a statue of Minerva, somewhat larger than life—so we called her Minerva, and she took to the sobriquet very well.

“Among the ladies was the Lady Carr; who was the celebrated beauty of the day. She had been, I believe, a Miss Gunning, and her sister set her cap at the Marquis of Lorn, eldest son of the Duke of Argyle. A song circulated about her, of which the burthen was, ‘This is the Maiden all for-Lorn.’ She wrote novels; but did not get hold of the marquis.*

“There was a Lady Betty Clayton to whom Lord Lansdowne used to go for advice. She was his oracle—his familiar oracle. His oracle for law was Sir John Eardley Wilmot, the ex-Chief Justice of the Common Pleas. At Hastings’ trial, Lord Lansdowne made me give my opinion on some of the evidence. It was unfavourable to his views. He did not much care about Hastings; but knowing the part the king took, and having all the king’s conversations reported to him, he professed to take Hastings’

* Bentham’s recollections of the celebrated Irish beauties, the fortunate sisters Gunning, appears, as with him in other instances of merely fashionable characters, to have been imperfect. The lady to whom he refers was not the Miss Gunning who wrote novels, and was “all *for-Lorn*,” but the sister of Lady Coventry, not Carr, and successively Duchess of Hamilton and Duchess of Argyle:—“a Duchess of two tails,” as from her double titles she was termed by Dr Johnson, when he saw her grace on his Scottish tour.

part. The borough of Calne was held by a tottering hold, and the Treasury once or twice endeavoured to shake him in it.

"The Miss C——s were daughters of an Irish baronet, and were at Bath lodging together. Lord Shelburne mentioned them to me as relatives of his. One of them was afterwards invited to Bowood, and came to Bowood. Lord Shelburne had been trumpeting me up, in order to make her think highly of me. I remember their singing a duet (Alley Croker) in a tragical sort of way. I like cheerful singing. Lord Shelburne asked me my opinion of the singing; and when he saw I was no admirer of the style, he gave up the scheme he had contemplated."

There was a small menagerie at Bowood, to which Bentham added a white fox, which his brother had sent from Archangel.—"Lord Shelburne was fond of collecting anything that was rather out of the way. The white fox gave occasion to some pleasantries in those days—when we called some of the Bowood ladies 'The White Foxes.'"

To the end of his days Bentham spoke of Bowood and its inhabitants with intense affection. I have often seen tears roll down his cheeks when reverting to some of the loved inhabitants of that mansion. The truth is, even his tenderest affections had been engaged by one of the fair ladies of Bowood. It was only a short time before his death that he sent a playful "love epistle" to that lady—speaking of the gray hairs of age, and the bliss of youth. I was with Bentham when the answer came to this letter—that answer was cold and distant—it contained no reference to the state of former affections; and he was indescribably hurt and disappointed by it. I talked to him, however, of "auld langsyne," and reminded him of Burns' song, and his beautiful reference to the times gone by. When I repeated, "We twa ha'e pu'd the gowans fine," he was cheered a little; the past recollection was brighter than the present thought—but he was for a long time silent, and greatly moved. At last he said, "Take me forward, I entreat you, to the future—do not let me go back to the past—talk of some-

thing—find out something to remove my thoughts from the time of my youth."

"One day, when calling on Miss —, at Little Holland House, on a Sunday, I found her and Miss — on their way to church. We were joined by S. S——, and when near the church, I said to him, from Horace—

'Parcus Deorum cultor et infrequens;'

and he answered, 'I go because it is my trade.'

"I went to Streatham at this time (1783.) Lord Shelburne was then minister. There was the house which belonged to Mr Thrale, which was hired by the minister to retire to. I remember there were pictures of all the wits of the age. Lord Fitzmaurice had a little turn of malignity—a sort of child in intellect. He told me of the amours of the Duchess of —, who was a sort of Messelina. There was, in the Shelburne family, a kind of division into factions—that of the child by the first bed, and the child by the second. Lord Shelburne was a good-looking, on the whole a handsome man, with a coarse skin. He had a little disposition to be rather knock-kneed.

"Lord Fitzmaurice once attempted to speak in the House of Commons: he was put down by Pitt. He married a widow who had a large family of children. He was a poor creature. He spent much money at Southampton on a castle without any ground to it. In 1783, though of man's stature, he did not dine with the family. He used to put me in a cart, a large child's cart, and drag me about."

Yet even Bowood could have its annoyances. On one occasion, Lord Chatham, William Pitt, Lord Camden, and Banks, determined to make Bentham the subject of their joke. It was after dinner, and they were all taking coffee. He said something, upon which one burst into a loud laugh, and was followed by the three others. He asked what it meant; and, instead of answering, they all laughed again; and they repeated this every time he spoke. No doubt, some trick had been practised upon him of which he was not aware. The whole

matter was then, and ever after, incomprehensible to him; for the laughing took place in the midst of serious conversation, in which nothing ridiculous was said by himself or others. But Bentham was sorely mortified, and probably exhibited his vexation; for, soon after, he overheard a conversation between Lord Lansdowne and Mr Banks to this effect:—Mr B., “Has he then taken offence?”—“No! he is too good-natured a man for that, and will think nothing of it.” The parties had become conscious of their ill behaviour.

Bentham’s susceptibilities were always most acute; and he was touched to the quick by what he considered a confederation of important personages to practice on these susceptibilities.

—“Lord Camden,” he said, “was a hobbledy-hoy, and had no polish of manners. Pitt was cold; showed little curiosity about, or complacency for other men; and, on ordinary occasions was incapable of rudeness. His manners had little grace or kindness. Once, when riding out with Bentham, who entreated him to slacken his pace, as he (Bentham) was mounted on a dangerous horse; he did so, but with an unchanged countenance, and without dropping a word of interest or kindness. Of Banks, Bentham formed a low estimate.

In the preface to the second edition of “*The Fragment*,” Bentham has recorded his opinions of Lords Camden and Mansfield. I give these opinions here, in a more elaborate shape, from another MS. :—

“Lord Camden. One incident occurred at Bowood that afforded me more particular insight into his mind than could have been naturally afforded in a mixed and numerous company of both sexes. One day happened to be particularly thin of visitors. When the ladies were retired, nobody was left in the vast dining-room but the ex-Chancellor, the ex-Secretary of State, and the obscure and visionary ex-lawyer. The conversation turned upon Lord Mansfield. To the two noble friends, he was the object of conjunct and undisguised antipathy. How he fared between them may be imagined: nor yet do I suspect them of

injustice. Lord Mansfield, much as he has been talked of, has perhaps nowhere been more fully or more impressively described than in Lord Orford’s, say rather Horace Walpole’s, *Memoirs*. Lord Shelburne was, ever and anon, at some pains in the endeavour to impress upon my mind a conception of the beauty of the mind of his noble friend. One occasion, I remember, on which the result did not decidedly correspond to his expectations. ‘Observe,’ said he, ‘the difference between such a man as Lord Mansfield and such a man as Lord Camden. It was a habit, real or pretended, of Mansfield,’ said Lord Camden to me one day, ‘to be particularly cautious never to hear out of court so much as a syllable from anybody about a cause that was to come before him. He was afraid, or pretended to be afraid, of being influenced by it. How different it is with me! I care not what I hear, nor how much I hear; be it what it may, I never can be influenced by it.’” (Here ends the self-eulogium.)

“If, in this particular, Lord Camden was his superior, the beauty of his mind will, it must be admitted, be incontestable.

“When,” continued Lord Camden, “I attended at the great Douglas cause, in which I myself had no more interest than if the subject of it had taken place in the moon; it seemed to me as if, somehow or other, they had both been on the same side, and that a side on which it was matter of astonishment to me that a man who had not an interest in it should be found.

“The course taken by the great judge to produce a conviction of his inexorable impartiality, seemed to be rather too much of a piece with the course sometimes taken by the knight and his princess, to prevent too near an approach, while stretched on the same couch. In those days, a naked sword sufficed; in the present, the sort of security that kept Pyramus and Thisbe separate would be rather more satisfactory. It was, I think, in my hearing, that the noble and learned Lord heard a certain prayer once, in which ‘Lead us not into temptation’ is one clause. The persons, for whose use

the prayer was framed, were certainly not, in the eyes of its author, altogether temptation-proof.

"Between the two great rivals in regard to constitutional dispositions and affections—for it would be too much to say of principles—there seems to have been this difference:—The chief of the Whigs was well content with the system in the state in which he found it—force, intimidation, corruption, delusion, depredation, and oppression in their several actually existing proportions—and was determined not to suffer them to be lessened, but wished not they should be augmented, nor would suffer them, if he could help it, to be augmented by any rival hand. The system pursued by his great Tory rival, or rather by his senior, of whom he was become the rival, (for Mansfield was his superior in age and standing, as well as in original rank,) this system, howsoever restrained by his notorious and so much-talked-of mental cowardice, had something of activity in it: his desires were bent, and with them, as much of his endeavours as he could venture to bring into action, to the rendering it, with the greatest velocity possible, as much worse as possible; to the rendering the fate of suitors as completely dependent as possible upon his own caprices, secret interests, and passions; while the pretended representatives of the People should be kept as blind and indifferent as usual; and nothing more could be wanting, or easily conceived as wanting, to the depredation and oppression exercised by the powers of judicature, and the power of arbitrary legislation exercised by the connivance of the legislation on the pretence of judicature.

"In fluency and aptitude of diction, Pratt was, in my eyes, equal to Murray—in argument, perhaps superior; not so in grace and dignity; in which two qualities, neither recollection presents to view, nor is imagination equal to paint, anything superior to Mansfield. As to Camden, whether towards individuals in general there was anything of peevishness of deportment in private life, I had no adequate means of judging. On the bench, there was a sort of petulance, which had something of the

appearance of it; when in the exercise of the highest dignity, his language and manner had, every now and then, more of the advocate in it than of the judge; he seemed as if conscious of having a superior, to whom, in imagination, he was addressing himself. Mansfield spoke and looked as if assured of having none. One example I will mention:—He was sitting on the bench in Lincoln's Inn Hall—he was sitting as if, in a more especial manner, the representative of the king, in his quality of visiter of Christ Church College, Oxford. It was a cause in which my feelings were, in no slight degree, interested, and interested on the side in favour of which his decision was pronounced.

"The still surviving Dean of St Asaph, who had been my contemporary at Westminster School, and stood, in regard to me, soon after our admission, in the relation, styled in the language of Westminster, of that of a shadow to a substance, had been accused of some little irregularity, and been expelled. From the sentence of expulsion, he had made his appeal to the king, in his quality of visiter of the college. Being at the head of the Whigs, Lord Camden was Low Church, and nothing more. Notwithstanding my still remaining admiration for Lord Mansfield, I was Low Church also; and, in politics at least, had, at that time, scarce a conception of anything beyond or better. Shipley, the appellant, was not present. Barrington—one of the canons of Christ Church—one of the constituted authorities by whom the sentence of expulsion had been pronounced—was standing by me, behind the bar and in front of the bench. The censorial lash was visited upon the backs of the reverend dignitaries, and with a smartness which seemed to come from the heart. One expression—I took a note of what was said—one expression I remember: it was that by which, in regard to a certain point—and that, I believe, a principal one—the appellant, it was declared, 'had been condemned unheard.' In this there was nothing that offended dignity; but other two expressions there were which, to my eyes, presented the image of the advocate, in

place of the judge. These were—"I am bold to affirm;" and "I am free to confess." No such affected boldness, no such boast of freedom, ever issued from the lips of Mansfield. My prepossessions were, at that time, altogether in favour of Lord Camden. If Lord Mansfield was one of the gods of my idolatry, Lord Camden was another. Every lash which fell upon the Christ-Church dignitaries, delighted me as it fell. Yet the conception now expressed on the subject of Lord Camden's eloquence is, without any variation, the conception which, at that time, I entertained of it."

Lord Mansfield was a rank and intolerant Tory. He was in habits of intimacy with Lind, Bentham's intimate friend; and, through Lind, Bentham learnt his opinion on many topics. He lauded the "Fragment on Government," not because he understood or admired the philosophy, but because it wounded Blackstone, with whom he had had a quarrel. He praised the work, but he paid little attention to the author; though on one occasion Bentham was employed to draw up the contract for the engraving of Lord Mansfield's portrait, and the wording of the contract was spoken of by his lordship in the most flattering terms. His conversation had little in it that was intellectual. He was a sensualist, and accustomed to drink his champagne in solitude. On one or two occasions, when he met Bentham at table, he never addressed a word to him, though a word from him would have been most delightful. One of the times when they were in company was at the Mansion House, during the mayoralty of Sir Barlow Trevelthick, who married a sister of Sir William Meredith—a privy-councillor, and an earnest friend of the People.

"Of the undisguised contempt," said Bentham, "entertained by this favourite of fortune, in relation to the great majority of those whose interests constitute the universal interest, and out of whose pockets the matter of his vast wealth had been extracted, one testimony I remember, which is not, to my knowledge, in any printed publication. Upon the occasion of one of the trials of the then celebrated John Wilkes for libels, printed

reports of former trials for libels had, by some friend or friends of justice, been sent to the several persons who had been expected to serve as jurymen. The information thus endeavoured to be conveyed to the minds in question, from the most authentic and unquestionable sources, was stigmatized by him as if it had been an attempt at corruption."*

Of Daines Barrington, Bentham said—"He was a very indifferent judge; a quiet, good sort of a man; not proud but liberal; and vastly superior to Blackstone in his disposition to improvement: more impartial in his judgment of men and things,—less sycophancy, and a higher intellect. He was an English polyglot lawyer. He sits in judgment on kings and others; exhibits their arbitrary tricks, not in the spirit of those who pour out all laud upon that king, who, in cutting men's throats, manages to cut more throats of some other king's people than of his own people. His book was a great treasure; and when I saw the placid little man in the Strand, I used to look at him with prodigious veneration. He had a particular way of holding his hands before him and twisting his thumbs. He never got higher than to be a Welch judge. He was not, intentionally, a bad judge, though he was often a bad one. He took merit to himself for cancelling a hundred pages of his book. I do not know the cause: the book is everything, apropos of everything. I wrote volumes upon his volume."

Of Charles Abbott, afterwards Speaker of the House of Commons, Bentham thought highly. "He (Lord Colchester) has more talent," said he "than all the Tories put together. His finance reports are the first of their kind; their order and method are admirable; yet it is well he is not in office; he would do nothing but mischief. He has no relish for physical science; for nothing but gringibber. He supported Panopticon because my brother and he were play-fellows."

* After a most pointed invective against the purblind endeavour to poison the source of justice—and "this" (concluded he) "is what they call an appeal to an impartial public; a sort of public which, if ever it judges right, never does so for a right reason!"

At Bowood, all the statesmen he met seemed wanting in the great elements of statesmanship; always engaged in discussion about what *was*, and seldom or never about what ought to be.

"I have sent," he said, "to the present Lord Lansdowne, a history of my intercourse with his father and his family. He will have shown it to those who remain of that generation. He was in his nurse's arms when Miss V—— was about twenty or twenty-one. She had the reputation of a great beauty, which I could never discover. The Earl of P—— courted, and was refused, because he had the scurvy; and Lord E——, the son of the Duke of G——, was not allowed to marry her by his father, because she was not rich enough. She was a piece of aristocratical ice. The unmarried Miss V—— was a good, sociable kind of person, very good tempered. I went with Moore, Secretary to the Society of Arts, to Warwick castle with B—— S——. Miss V—— blushed; but there had been no flirtation between her and me. Miss E. V—— was not more than seven or eight years older than Miss F——.

"Though Lord Lansdowne has neither the wish nor the power to do much good, yet the other lords are as much below him, as he is below what he ought to be. He said to me, the lords were a wall against improvement. Only conceive his father, with a bad education, taking up 'Judicial Establishment'* with the highest glee. There was much criticism that was amusing to him. He was 'awestruck,' he said, with the 'Essay on Morals and Legislation,' which he read through.

"I am so much an animal *mei generis*, that people must bear from me what they would not bear from others. I shall tell Lord Lansdowne that aristocracy is on the wane, and that things would have been borne in his father's time, which would not be borne now."

Among the beauties of the day were Lady Pembroke, and her sister Lady Diana Beauclerc (alluded to above, p. 91.) They were daughters of the

Duke of Marlborough. Lady Pembroke was somewhat short, but had still a handsome countenance, on which Bentham often looked with delight, charmed with being in the presence of one he had often heard called a goddess. He found that she was on bad terms with her lord; and no wonder: for Lord Pembroke was a *roué*, and openly unfaithful. There was some management at Bowood, so to invite Lord and Lady Pembroke that they might not meet. Bentham visited Lord Pembroke, who showed him many curiosities: he was a great horse-breeder; and, on exhibiting a fine Arabian steed, took some trouble to explain how the genuine race might be distinguished from the mixed or spurious. The thickness of the neck was the only point that Bentham brought away from the lesson. Lord P.'s house was like a statuary's shop—crowded with antiquities. He told many anecdotes; among which was one of a serious dispute between two French naturalists, who had long vehemently discussed the existence or non-existence of an animal between a horse and a mule, called a Jumard. One of them, Maupertuis, (the other was Beaugerard,) cried out, on his deathbed, "*Laissez moi mourir dans la douce persuasion qu'il n'y a point de Jumard.*" Lady Diana Beauclerc was renowned for her limning productions, and was considered a most accomplished person. Her husband, though but a commoner, had ducal and royal blood in his veins. He studied chemistry, and to much purpose, under the instructions of Dr Fordyce, at a time when scarcely anybody but professional men condescended to pay attention to the subject. "One of the visitors at Lord Pembroke's was Fonthill Beckford, who, as soon as he entered, sat down at the harpsichord, and played delightfully. The Bishop of Derry was another guest. He, with Flood, my old bed-fellow's brother, had afterwards well-nigh republicanized Ireland; but they were put down by Lord Charlemont. The bishop was a pleasant and a clever man. He did not believe in revealed religion: he was very tolerant in his judgment of others; and, in political opinions, most liberal.

* Draught of a Code for the organization of the Judicial Establishment in France, in vol v. of the works.

"There were, Sir James Long; Mr Bull, who managed, I think, the borough of Calne; Lord Dartry, who loved the bottle so well, that Lord S. used to complain of his passing it too briskly; but Lord S. owed him no small number of pecuniary favours; there were Mr Banks, Mr Pratt, and Mr Dunning, who shocked me by narrating one of his exploits at Bristol. He had been hanging two poor wretches there, and he talked of it with consummate glee. There was then an odd sort of animal in the House of Lords, whom we sometimes saw,—one Lord Harborough, who was not a bishop, but only a parson!"

Bentham once met at Bowood Edward P., whom I have mentioned among his fellow-students at Oxford. Edward was a very remarkable character. He was of a considerable family in Wiltshire, one of whom had been a Welsh judge. He was two years older than Bentham, and joined him at Oxford, having got a five-guinea prize at Winchester. He was very precocious, but withal a conceited, chattering coxcomb, and remarkably ugly. But his head was full of ideas, as was Bentham's, and so they became intimate friends. The friendship did not last. Poore came into possession of a large estate—went to Italy—fell into profligate habits—came home, and went to Italy again. He was a barrister on the Western Circuit. His language was pompous and affected. On one occasion, in a case about rubbish, he called the rubbish in his opening, *quisquillious matter*; and Jekyll, on his cross-examination of the first witness, asked, "Did you ever see any *quisquillious matter* deposited?" "No, not I indeed," was the reply. Harris, who had patronised Poore, was compelled to drop him. He fell into all sorts of misfortunes, and became the object of public indignation. Once, while Poore was in his opulent state, and during their greatest intimacy, Bentham had been robbed of all his money, and asked of Poore the loan of a guinea. He refused.—"Strange creature!" was Bentham's ejaculation when speaking of him.

"Lord L——, the son of the great Lord L——, was a tall, pale-faced lord,

whose countenance indicated a bad disposition; but for that unfortunate expression of visage, he might have been deemed handsome.

"Linguet wrote a book in defence of despotism. He was the violent enemy of the democrats, and was the most celebrated orator of his time. He was clapped into the Bastille. He was the remarkable man of his day for the eloquence with which he justified despotism. He used to dress himself out very finely with sword and satin in all its glory. Lord Shelburne introduced him to my acquaintance. He was obliged to expatriate himself. His *plaidoyers* are extant, and I made use of them.* He speaks of the enormous expenses of the decrees of the judge.

"When Sir Benjamin Hobhouse visited Bowood, in 1781, he was put into my hands, to show him the lions.

"Townsend, the Spanish traveller, was a favourite at Bowood. He married a person who was a Lady Clark: she was the widow of a navy captain; plain enough; but she was a good cook, and Townsend liked good eating. She had something of a jointure too. When I visited them, the table was distinguished for many delicacies and much variety. There were all sorts of meat-powders, such as of hung beef, to spread upon bread and butter. Something was wrong with the lady's mouth; I know not what; but I know she wore what were called plumpers, or pieces of cork in her mouth. There was always a piece of work to manage the plumpers so that the defects might not appear. I used to be amused with the droll effect of her anxiety about her plumpers. She spent the whole morning at her toilette, plumping and painting, and never appeared till three o'clock in the afternoon."

At Bowood Bentham was engaged in writing his "Introduction to the Principles of Morals and Legislation." It made progress by no means satisfactory to him. "I had got into a mizmaze," he said; "I could not see my way clearly,—it was a dark forest,—for the

* They are frequently referred to in the *Rationale of Evidence*.

vast field of law was around me with all its labyrinths. Little by little great principles threw their light upon the field, and the path became clear. At this period of my life I was not proof against dogmatism. I was more willing to listen to the man who spoke of what *ought* to be, than to him who described what *was*. Experience has given a different value to conversation."

Bentham sent, in 1782, at the request of Lord Shelburne, to Lord Ashburton, this as yet unpublished work. Lord Shelburne had read the volume in MS., and recommended it to Lord Ashburton; but I find from a memorandum, that the proof-sheets were neither acknowledged nor returned.

The following are farther memoranda, collected from Bentham's conversation, in relation to this period of his life:—

"I was one day in an eating-house in Clement's Churchyard, with Clarke; and just as we had done dinner, in came Goldsmith. He and Clarke talked together; I was too young and too insignificant to be talked to. I supped at the Mitre Tavern once, when they exhibited a complete service of plate. We came to hear Johnson's good things. There was Bickerstaff,—there was Ellis, the last scrivener of the city of London, who died at the age of ninety-four, a pleasant, old fellow,—there was Hoole,—there was White, a clerk of Ellis',—and there was Goldsmith. But I was angry with Goldsmith for writing the 'Deserted Village.' I liked nothing gloomy; besides, it was not true, for there were no such villages. Bickerstaff was obliged to march out of England some time after.

"Lord Dunmore* used to call on me. He was a sort of a liberal; and we used to stimulate one another by talking of the despotism which had been exhibited by the expulsion of the six Methodists at Oxford. He told me his notion was, there had been several revelations,—Jesus' one, Mahomet's another, at which I was very much scandalized. We made trifling chemical experiments to-

gether, it was just then the airs (gases) were invented.

"He had a tutor of the name of Watkins, who went to Virginia, where he had a living, and where, I believe, he died. For a Church-of-England man, Dunmore was free of prejudices, and we had many common sympathies. Watkins went to the unhealthy parts of Essex, where the curacies are doubly as large as the ordinary healthful curacies. He was there cheated by a Parson Griffinhoof. I took up the pen for him, and made Parson Griffinhoof pay what was due. Parson Griffinhoof (as I was afterwards told) said, 'I do not know who Mr Bentham is, but he must be some old experienced man.'"

In 1782, Bentham took a journey to the north of England. At Buxton he was much struck with the beauty of a Miss Meynell,—a sweet girl, he said. He met her twenty years after her marriage with Sir George Cornwall, at Sir John Coghill's. She had many daughters, and Bentham was urged by Lord Lansdowne to attach himself to one of them.

Strangely varied were the subjects which occupied Bentham's thoughts. At this time I find him engaged in writing for some favoured Melpomene "Instructions for the Harpsichord," some of which are very characteristic.

After remarking that facility of playing depends on the choice of fingers—and its accuracy on the verticality of the fingers over the keys to be struck—that expression is the result of the *smartness* of the stroke, and of the evenness—and the staccato in their appropriate places—he points how the "timidity inseparable to early practice is the cause of error" in the non-verticality of the fingers.

"As every time of shifting the whole hand to a new position endangers a miscarriage, the beginner covets to execute as many notes together as he can without shifting it. When at last a note comes at such a distance from that preceding it, that shifting can no longer be forborne; one finger is sent out before the rest, like the dove out of the Ark, by way of trial to be followed by the whole hand if it succeeds.

* John Murray, fourth Earl of Dunmore,—a Scottish peerage. The family received a British baronage in 1830.

"For a long time before the learner can form a comprehensive idea of the relation of the respective distances between that numerous assemblage of keys that are necessary to the instrument, and for want of having the idea of the distance of each key from that which is to succeed it ready in his mind, he is forced to measure it, as it were, at the time of striking. In consequence, he is obliged to keep his finger over the first key while he is feeling for the second. If he moves his whole hand at once, he knows not how far to carry it.

"As confidence increases by habitual exertion, the danger is gradually obviated. The practitioner becomes less afraid of trusting his whole hand to move at once. In time, practice of itself will effect a cure. But the cure may be accelerated by its being known on what circumstances it depends. The practitioner, when he sees clearly what these circumstances are, will better understand how to conduct himself so as to favour their operation. He will understand, for example, that his business is to repress his solicitude for success, not to mind at first if he does stumble on a wrong key, but to move his hand freely so as all along to give his fingers the requisite vertical direction.

"Habit—blind habit—will of itself do much: but it will do much more, it will do the same thing in much less time, when enlightened by observation.

"To Melpomene the following hints will be matter rather of curiosity than of use:—

"The momentary and casual evanescent instructions that are given *viva voce* by a master, may be rendered much more efficacious by being registered in writing, and worked up into general standing rules; since the design of them is only to assist other young practitioners in their progress towards that perfection which she has attained already. But if there is a kind of melancholy pleasure, as the poet says,

'Suave mari,' &c.,

in seeing others struggling under the difficulties we have ourselves surmounted, we may reap a pleasure of a purer

and less exceptionable kind in contemplating the causes of those difficulties, and such expedients by which others may be assisted in removing them. If there is a pleasure in the recollection of vanquished difficulties, that pleasure will, in a generous mind, be improved by a view of such expedients as are calculated to enable others to surmount the like."

It is amusing and instructive to follow Bentham in his studies of the art of composition. Many of his MSS. are curious evidences of the way in which he exercised himself in order to train his style to precision. One specimen will serve to exhibit what he calls the "Forms Direct and Indirect of Legislation"—as where stealing is forbidden, and the punishment of death attached to it.

"1. Steal not: if thou do, thou shalt be hanged.

"2. Thou shalt not steal: if thou do, thou shalt be hanged.

"3. He that stealeth shall be hanged.

"4. Whoso stealeth shall be hanged.

"5. If any one steal, he shall be hanged.

"6. All persons that steal shall be hanged.

"7. Every person that stealeth shall be hanged.

"8. For him that stealeth, the punishment shall be hanging.

"9. For any one that stealeth, the punishment shall be hanging.

"10. For all persons that steal, the punishment shall be hanging.

"11. For every person that stealeth, the punishment shall be hanging.

"12. Let no one steal: if he do, he shall be hanged.

"13. If thou steal, thou shalt be hanged.

"14. Stealing, or theft, shall be punished by hanging.

"15. For stealing, the punishment shall be hanging."

When the Treaty of Peace was negotiated in 1783, M. Rayneval assisted the Count Choiseul in the negotiations. The count found rank—the plebeian, brains. Rayneval, though somewhat clever, was both dull and proud. He and the young Viscount de Vergennes, son of the prince, then Prime Minister

of France, were handed over by Lord Shelburne to Bentham, for the purpose of being escorted to the sights of London. Bentham was struck with the extraordinary ignorance of the viscount, who, though only from twenty to twenty-three years old, was married, and carried about his wife's picture in his fob with his watch. His visit lasted some weeks. Lord Shelburne's eldest son was generally of the company. Sharp's Iron Works, Boydell's Print Shop, and Longman's Musical Instrument Manufactory were, at that time, among the most interesting of the trading establishments of the metropolis. At one of the dinners at Lord Shelburne's, Gibraltar was the topic, and Rayneval was very desirous it should be given up by the English. There were among the guests those who thought Gibraltar was not worth keeping. One instance of Vergennes's incredible want of knowledge, was this:—He said to Bentham, "Are there any such people in England as authors?" "Yes, truly," was the answer; "there are—perhaps not so numerous, nor so good, as at Paris, but the race is not wholly unknown." "Indeed!" said he, "are there really?" He was a very child in information, yet was he the man sent to make peace between two great nations. His ignorance offended less than Rayneval's *morgue*; he covered it over with no veil, however thin. I have heard Bentham mention his fright at having overturned a screen upon Rayneval, who, however, did not resent the misfortune. It was compensated by a breakfast which Bentham gave him in Lincoln's Inn, and by some lessons in the pronunciation of the English language.

The following Letter of Bentham to Lord Shelburne, refers to a rare book, which, Lord Shelburne says in his answer, he had lent to Mr Pitt, who had not returned it:—

BENTHAM TO LORD SHELBURNE.

"*Lincoln's Inn, February, 5, 1783.*

"MY LORD,—Upon my happening at Streatham to mention the Code lately promulgated by the French king for the government of Corsica, your lordship had the goodness to offer to procure me

a copy of it. If no measures should yet have been taken for that purpose, I would not wish to take up any portion, however small, of a time so precious as your lordship's, about a matter that might be effected by ordinary means.

"But, my Lord, there is a work which less than your lordship's influence could hardly be sufficient to obtain, and which your lordship, if not already apprized of it, will, I hope, not be displeased to hear of. The title of it is, '*Mémoires concernant les Droits et Impositions en Europe.*' It is said in Smith's *Wealth of Nations*, b. v. ch. 1, to have been compiled by order of the French Court 'for the use of a Commission employed for some years then past in considering the proper means for reforming the Finances of France.'

"I have been told that there were but 100 copies printed of it, and that it has been never sold. Mr Anstruther, lately elected Member for ———, happening to be at Paris just as it was printed, obtained a copy. I have asked him for a sight of it by means of a common friend; but he had given it to Lord Loughborough, whom nobody, that I am acquainted with, cares to ask. The case is the same with regard to Lord Stormont, who I thought might possibly have another.

"M. de Rayneval, I should think, must know of it, if he thinks proper to acknowledge. Should there be one copy of it procurable, and but one, I would humbly beg the use of it for a few weeks: should there be two, I should even hope your lordship might think proper, as a matter of grace, to grant me the informer's share.

"To save your lordship the trouble of getting the title transcribed, I have repeated it on the other leaf.

"I have the honour to be, with all possible respect,

"Your Lordship's much obliged, and

"Most obedient humble Servant,
"J. B.

"*Mémoires, &c., en plusieurs volumes en 4to, composés & imprimés il y a quelques ans par ordre de la Cour de France, mais jamais publiés.*"

Dr Anderson* had written a pamphlet on the Value of the Western Fishery. Like most authors, exaggerating the importance of the matter on which he was engaged, and anticipating most improbable results from the remedies he was suggesting for the redress of national grievances; he was exceedingly desirous of obtaining Bentham's approval of his plans, and his concurrence in the desirableness of their being communicated to the public. I find in his letters the expression of a strong desire that, when dead, he may be thought of, as having written something which the world would not willingly let die. In answer, Bentham sent him the following admirable letter:—

BENTHAM TO DR ANDERSON.

“Wednesday, May 28th, 1783.

“DEAR SIR,—I am sincerely sorry you do not seem to acquiesce in Mr Wilson's opinion, which is entirely mine. I will own myself anxious that this pamphlet may never see the light, and that much more on account of your reputation than your purse. There is really a combination among your friends—who are indeed very much your friends, or they would never undertake so invidious a task—to strangle this unhappy bantling in its cradle. Without pretending to assign all *their* reasons, to which I might not be able to do justice, I will take the liberty of giving you a few of *mine*. I say a few, for you will not expect that I should write a pamphlet, in order to prove that you ought not to publish another pamphlet. Why it is you should be so much attached to it, I cannot conceive; for I really do not see a syllable in it that is new. Whether the observations relative to the difficulty of collecting a revenue in thinly-peopled countries, are originally yours or not, I will not pretend to say, though I confess I suspect the negative; but sure I am they are yours already: witness your last pamphlet. Those relative to the inefficacy of bounties, and the injudicious, or supposed injudicious, conditions annexed

to them, I thought ingenious when I read them, and well worth more attention than it suited me to bestow; but they, too, are yours already: witness your Observations on National Industry, in which this very subject is treated more satisfactorily, as far as I can speak upon recollection, than in the very pamphlet which professes to treat of nothing else. What you say of the difficulties attending infant manufactures, is there also anticipated. What is there in all this that you should be so anxious to “discover” and to “preserve?” Look back to your own works, and you will find it discovered and preserved already, as far as printing and publishing can discover and preserve it. Is it the idea of getting towns built on the spot in question? This has been suggested, and, you will excuse me for saying, suggested, I think, in a more instructive manner, almost these twenty years, by Sir J. Stewart, in the concluding passage of book ii. chap. 30, which I have before me; and, I am told, over and over again, in Campbell's Political Survey, which I have not seen. Is it the idea of engaging people at large to build, by grants of land? America, a country in much better repute, justly or unjustly, than the Scottish Isles, gives land without stint, without such conditions, and with timber on it that cries, “come cut me,” as plain as ever a herring cried “come catch me.” Is it the idea of giving the son of Abraham, of Isaac, and of Jacob, a place to rest his head on? America is large enough for him, and as open to him as to any disciple of Christ. I question whether you are aware that Jews, native Jews, are already, and have been for hundreds of years, upon just as good a footing, as to the acquiring of land, as native Christians; and that the object of the act (are you aware of that act?) which was so soon repealed, in consequence of a temporary and party clamour, was only to hold out naturalisation to foreign Jews. I speak from Blackstone, and from the act itself. Is it the idea of getting Parliament to venture the sum required, because that sum would not exceed, as you suppose without any calculation, the amount of *one*

* The Author of “The Bee.” The work on the Fisheries was published in 1785.

month's expense of the war, as you have written it in huge letters? My dear sir, do you consider that one month's expense of the war is *about a million of money, more or less?*—that a work not of supererogation, but of pressing necessity, long ago begun, and far advanced in the building,—I mean a penitentiary house for the home circuit,—stands still for the want of a tenth or a twentieth of that sum?—that a house somewhat upon that plan is wanted for Edinburgh, that £6000 would do the business, and that this trifle, as it may seem to you, is more than Mr Stewart, late Provost of Edinburgh, the patron of the scheme, a most intelligent and public-spirited man, has any hopes of getting?—so he told me himself within these three weeks.

Catching fish in the Western Isles might be made a very beneficial business,—a business much more beneficial than it is,—a business more beneficial than any other that could be carried on with an equal capital; but not unless conducted by people, and they in considerable numbers, having fixed habitations in those isles. All this may be true; but what reason have you offered further than your own averment (repeated, and enforced in abundance of declamatory language) for thinking it so? What *data* have these twenty years' reflection and experience of yours (experience of what?) furnished, upon which any, even a most superficial judgment of the matter, can be grounded? What are the trades and manufactures, the association of which would be necessary for carrying on this branch of industry? Net-makers, hook-makers, and so forth. This might be known by surveying and analyzing the furniture of a fishing ship, &c., and considering whence it came. What would be the capital necessary for the stocking of those trades and manufactures? How is that capital to be supplied? If too great for one private undertaker, would it be too great for a partnership? If too great for a partnership, would it for an incorporated company? If too great for an incorporated company, who would be working for their own profit, is there any chance of

its being carried on by agents appointed by the crown, working for the benefit of I don't know who? What do the Dutch lose by the disadvantages of distance? Is that disadvantage more than equal to the habitual and inveterate difference between British and Dutch economy? Supposing a greater profit might be made by a given capital employed in this way, than by the same capital employed in any other, (a point necessary to be made out, with at least some general show of probability,) why am I, who am carrying on a flourishing manufacture at Manchester, to be taxed, to have money taken out of my pocket, to be given to you to catch fish with in the isles of Scotland? Certainly I ought not, unless with that money you could bring to market a great many more pounds' worth of fish than I could of cloth. When you have given something of an answer to these questions, I may perhaps be able to supply you with as many more; and when you have answered those, then perhaps your pamphlet may have some claim to the title it assumes: supposing all the while that I, who am a mere novice in political economy, can, in the course of a most hasty and superficial glance, have gone any part of the way towards exhausting the considerations necessary for founding a judgment upon this complicated question. When you have collected the matter above alluded to, you may then the better afford to leave out all general disquisitions about human nature, especially if they should have nothing either very new in the matter, or pointed in the manner: all histories of the European transactions in the East Indies: all controversies founded on loose expressions of Mr Howlett, or Mr anybody else, relative to abstract propositions on the subject of population: all caveats against Dr Tucker, or Dr anybody else, about the property of supposed new ideas: all invectives against ministers, in or out of place, on the score of measures which have no other connexion with that in question, than in so far as they relate to money: all declamations founded on the supposition that the ruin of a country, which is to be starved this

summer, is no otherwise to be prevented than by raising piles of brick and mortar, which may come to be lived in two or three years hence; but of all things, all passages tending to insinuate, in terms more or less explicit, that all political men, if not all men whatever, are equally blind and profligate, and that the whole stock of intelligence, as well as probity in the world, happens, by some odd accident, to centre in a single person, whose censure, without the weight of proof, is to stamp indelible infamy on every head it lights on. It is now past one—I began at past eleven; and these representations, I see but too plainly, are coloured by the impatience which late hours, and multiplied avocations, give to a sensible temperament and feeble constitution: but if you make the requisite abatements, you may profit: and as you know the motive, (for what motive but one could have induced me to give us both this plaguing-bout,) you will forgive."

He proceeds on a second sheet:—

"In the other sheet you have my opinion on your pamphlet; if, notwithstanding, you persist in printing it, all I have to say to you further is, that your orders will be obeyed. And yet, why in London?—in Edinburgh, printing is not only cheaper, but better done. But that you must doubtless have made up your mind about."

The answer to this letter is characteristic enough. It occupies nine closely written pages, and is intended to show to Bentham, that if he had studied the subject as thoroughly as the author, he would have formed a higher estimate of the value of his labours. Reputation is less his end than usefulness—glory than truth; yet he had read Bentham's letter three times over, on three several days, coolly and calmly, but still finds the knowledge it exhibits "extremely crude and undigested, and the tone of the epistle peevish, petulant, sarcastic, fretful:" "exhibiting qualities which self-knowledge would have taught him to avoid exhibiting," and suggesting that Bentham might "profit by" Anderson's "lessons." He calls Bentham's letter a "humiliating inadvertency,"—"degrading him to an

inferior level," and so forth—yet expresses high admiration for his talents and his virtues. It is to the credit of both, that these sharp discussions did not interfere with friendly intercourse,—but it must not be forgotten, that the criticisms of Bentham were invited—those of Anderson intruded.

To this correspondence Bentham made allusion when he had passed his eightieth year. "I remember a correspondence with Dr Anderson. He was grievously offended with one of my letters. I did not, when young, show that attention to the feelings of others which I have learnt since; and I believe he had some reason for being offended."

A letter to Mr Stewart of Edinburgh, exhibits the character of Bentham's inquiries with reference to the effects of Scottish education upon the public morals. It would be interesting to follow the inquiry here reverted to, through the various states of Europe. Compare the cost of religious instruction in different countries, and then compare the state of crime. Let it be seen what effect *money*, as a means of procuring the discharge of ecclesiastical functions has upon the morals of a community;—whether a richly endowed church is productive of the riches of good works—whether the cheaper Presbyterianism of the north is more or less prolific of Christian excellence than the richer Episcopacy of the south; in a word, whether the money disposed of by our opulent Establishment is well or ill spent, with a view to the end proposed, namely, the increase of virtue and the diminution of crime.

BENTHAM TO MR STEWART.*

"June 27th, 1783.

"SIR,—I take advantage of your very obliging permission, to trouble you with a memorandum of the documents I wish for, relative to the criminal law of your part of the island.

"By way of a clue, give me leave to mention the purpose. Upon the supposition that the influence of religious

* It is not stated what Mr Stewart the letter is addressed to, but the internal evidence points pretty clearly at Professor Dugald, then commencing his career of fame and usefulness.

instruction is beneficial, upon the whole, to the temporal interests of society, and that the labours of the clergy do a certain degree of service by what they contribute towards turning this influence to account; I know of no observable standard more exact for estimating the value of that service, than the comparative paucity of such mischievous acts, as the law has stigmatized under the denomination of crimes. England, which, containing such a number of people, and such a quantity of wealth, pays to its clergy such a sum, (which is distributed among them in such a manner,) has, in a given period, such a number of criminals: Scotland, which, containing such a number of people, and such a quantity of wealth, pays to its clergy, so much less in proportion, and that distributed in a different manner—has, in the same period, such or such another number of criminals. I am apt to think it would turn out that this latter number, instead of being greater than that in England, in proportion as the pay of the clergy in Scotland is less, is in fact less; and that therefore, in Scotland, the clerical work is not only done for less money than in England, but better done. This is the inference I am disposed to draw from the Table of Convictions in Scotland, already published by our excellent friend Mr Howard. But, as that table extends to no other than capital crimes, the information it affords can be, as you must perceive, but very unsatisfactory with a view to my purpose. It is the more so, inasmuch as the same crimes which are capital in England, are not so, in every instance, in Scotland, and *vice versâ*. To be sure, in both countries the denominations of crimes, &c., are, in but too many instances, determined not so much by the real nature of the mischief, as by extraneous and accidental circumstances, such as the punishment or mode of prosecution—but this is an imperfection I cannot help. I must take the information, and be glad to get it too, as it stands. What I wish for is, therefore, a table of the crimes, that within a certain period (suppose from the beginning of the century) have been *known to be* committed in Scotland,—the more ex-

tensive as to the sorts of crimes, and the more minute the distinctions, so much the better. As to the distinctions, those given in Mr Howard's table are, as far as that goes, sufficiently particular: the head of murder excepted, inasmuch as it makes no distinction between homicide in prosecution of robbery, and the murder of a defenceless person through particular enmity, fair duelling, and I don't know how many other species I could point out, but which are as different from one another as guilt from innocence.

"I say, have been *known to be* committed; and, therefore, a table of the *trials* would be much more satisfactory than a table of the bare *convictions*,—and still more so, an account, which I suppose it is impossible to obtain, of *informations* lodged before a magistrate. You have a method, I have heard, of transporting suspected persons, with their consent, without a trial; of these, some, I presume, would, were it not for such provision, have gone into the class of those informed against, but discharged for want of sufficient evidence—others into the class of convicts.

"I dare say it is but a small part of all this information that is attainable; but any part that it should be in your way to obtain for me, without too much trouble, I should think myself infinitely obliged to you for.

"To a man of Mr Stewart's turn of mind, the various public uses which at any rate such a sort of document might be put to, and the credit which (if my conjecture be well-grounded) the result would reflect upon his friend, must, if fame says true, hold out inducements infinitely more favourable than any that could be presented by the acknowledgments of so insignificant an individual as myself. And that the information may receive a much greater degree of circulation than I could expect to give it, we will make Howard insert it in his next publication. He will, I dare say, be very glad of it, for he seemed to acquiesce in my remarks on the incompleteness of that printed in his own appendix. Be there more or less of it, the copying of it must necessarily be attended with some expense.—You will

be kind enough to direct the copyist to make a memorandum of it, that I may pay the amount of it to your house in London.

"I took the liberty, as you may perhaps remember, of claiming kin to you and Mr Howard as a kind of brother of the trade, which I certainly am, as far as endeavours go at least, however inferior in point of means. The only proof I can as yet produce to you, in support of such a pretension, is contained in a little pamphlet,* a copy of which herewith sent, I hope you will do me the honour to accept.—I am, with great truth and regard, Sir, your most obedient humble servant,

"J. B.

"The expense and trouble it cost me, were not wholly thrown away, as the Bill, which was the subject of it, underwent a number of alterations, several of which, I understood by a note from Sir W. Blackstone, were the consequence of my remarks."

In a letter of George Wilson to Bentham, dated 3d Nov., 1783, is the following passage:—

"Wallace is gone down to Tinmouth (Teignmouth) in Devonshire; they say it is the place where Dunning died, and in all probability Wallace goes on the same errand.† Everybody says that Erskine will be Solicitor-general—and if he is, or indeed whether he is or not, he will have had the most rapid rise that has been known at the bar: it is four years and a half since he was called, and in that time he has cleared £8,000 or £9,000, besides paying his debts, got a silk gown, and business of at least £3,000 a-year—a seat in parliament,—and over and above, has made his brother Lord Advocate. For my part, I have great doubts whether his coming into parliament was a wise thing; he sacrificed his House of Commons' business, which was very profitable; and besides, his success seems

to me very doubtful. He has several of Burke's defects, and is not unlikely to have his fate; and the expectation from him will be too great to be satisfied. We expect a match between him and Pitt, and another between Fox and Flood.

"The apprehensions about Ireland are not quite so great since the Leinster meeting, where there was not the same appearance of unanimity as at Dunganon. We have not yet heard of any meeting of the other two provinces; and their parliament has been adjourned for some time. The Bishop of Derry goes to the House of Peers, attended by a troop of horse, who remain on duty during his stay there. He quite eclipses the Lord Lieutenant. What a pity he is not captain of a man of war, and his son a bishop!"

I mentioned among Bentham's acquaintance a mercantile man named Villion, a Genoese, "who helped," said Bentham, "to cheer my Lincoln's Inn solitude. He was very fond of my company, and was generally welcome to me. But once he annoyed me by coming at dinner-time; for I had but a scanty fare, and he grubbed up half of it. His dress was very shabby, and he wore a shirt as coarse as a hopsack. Everything about him was mean; and as I attributed it to his poverty, I only pitied him. But I soon learned he had lost no less than £4000 by the failure of his brother—this alone was equal to £200 a-year—so he sank in my estimation. I could have excused his poverty, but not his being so rich and living so meanly. I was passionately fond of chemistry then, and he studied chemistry for the love he bore me. In his brother's absence, he once gave me a dinner at his brother's expense. I remember a garden-like paradise on the top of the house. He used to borrow books of me. He was received into many good families, among others that of Peter Noailles, who had extensive silk-works at Seven Oaks. Noailles had a beautiful wife and a beautiful daughter; and, being introduced by Villion, I dined there once or twice. There was a renowned wine-merchant of the name of Chaillet, who afterwards

* This was the letter to Mr Eden.

† James Wallace, Attorney-general. He died within a few days afterwards,—viz., on the 11th November.

migrated to Bedford Square. He had two daughters, one of whom married a secretary of the first Lord Melville. When I was a suitor on the subject of 'Panopticon,' the secretary did me some friendly service; and I once met his father-in-law at his office, and he said to me, 'Mr Bentham, was it you that wrote the Defence of Usury?'—'Yes.'—'Then you shall dine with me.' I went, and was surprised to find his wife a vulgar, purse-proud woman. There were a dozen people present, and we had some music. I remember observing something white on the middle of the table, and I asked what it was: 'You will see,' she said; 'that is not to be eaten yet: it will be eaten by and by.' Once when in the carriage with her, she asked me to make some verses to entertain them. I make verses!—I indeed!!"

Villion seems to have been much attached to Bentham. One of his letters, written in answer to a communication of Bentham, which was the resumption of intercourse long dropped, has the following passage:—

FRANCIS VILLION TO BENTHAM.

"DEAR SIR,—Upon my returning to town to-day, on account of the election of E. India Directors, I have been—shall I say agreeably, or disagreeably?—surprised at finding at home your obliging letter of the 8th instant. It hath recalled to my mind a friendly connexion, which, as long as it lasted, was at once the pride and the delight of my life. But this connexion not being supported equally on both sides, it necessarily grew, by slow degrees, weaker and weaker, till it broke at last.

"This event, although long foreseen, and, according to the common course of nature, which seldom, very seldom indeed, admits the continuation of an intimacy between *unequals*, hath however affected me so much, that I do assure you time hath hardly afforded me any relief: even Time itself, whose ever-working hand hath almost obliterated out the very deep impressions made upon me by the heavy strokes of repeated misfortunes; misfortunes which the generality of people would agree in look-

ing upon as the most severe ones. I have endeavoured to reconcile myself to that event, by the consideration, that when we leave nothing at all behind us to regret, we are prepared to meet death with fortitude and indifference."

Bentham answered this epistle in the language of kindness, welcoming the reëstablishment of kindly relations: to which Villion replies—

FRANCIS VILLION TO BENTHAM.

"*Lothbury, No. 26,*

"*Monday Morning, 19th April, 1784.*

"MY DEAR SIR,—An engagement for yesterday brought me to town very late on Saturday evening. I had been pressed in an obliging manner to stay all the next morning, but I congratulated myself for having luckily withstood the civil importunities of my friends, as I anticipated by some hours the inexpressible satisfaction and comfort which your letter of the 14th inst. gave me. So kind, so friendly, so moving, so artless a letter, dictated by the heart,—coming from you to me,—makes more than ample amends for full ten years' trouble and uneasiness of mind. I am sure in the course of a very long life, I should never forget a single word of it.

"I look upon it as a pledge that promises to me the continuation of what will soften the unavoidable misfortunes of this world,—will increase greatly the enjoyments it may afford; and, what I value more, will add dignity to me, not only in my own estimation, but in that of others.

"Had it been a more early hour,—had I not been afraid to disturb you,—had I been sure you could give me a bed,—I should have flyed directly to your chambers. I called there yesterday: to my very great disappointment I did not find you at home; and I left a note which I scribbled at the coffee-house in a hurry, and under the first impression of my chagrin at seeing my hopes frustrated.

"It is very unlucky for me that I cannot absolutely see you, nor to-day, nor to-morrow. If you be disengaged next Wednesday evening, I shall call upon you. Should not that day suit you,

choose any other you please, and be assured that I shall make you a sacrifice of any engagement of mine, let it be of duty, business, or pleasure; for I can have none greater than that of assuring you, in person, how affectionately and truly I am, my dear Bentham,

"Your humble Servant,

"And sincere Friend,

"FRANCIS VILLION."

George Wilson and James Trail were, of all Bentham's acquaintance at that time, those with whom he was most intimate. It was to Wilson that most of the Bowood letters were addressed.

"George Wilson," said he, "was my bosom friend. We had both of us been friendless. He had lived at Aberdeen, where his father had been collector of the customs. He had been at Edinburgh university. He was related by marriage to Dr Fordyce. I made acquaintance, before I was of age, with Dr Fordyce, in consequence of his lectures on chemistry; and I once gave him and (Chamberlain) Clarke a dinner in Lincoln's Inn. Dr F. was, I think, at that time, the only chemical lecturer, and was very poorly attended. Wilson was first cousin to a Lord Forbes; and Fordyce invited Wilson to dinner to meet me. He had no legal acquaintance, except Sir Archibald Macdonald, who was an aristocrat and a puppy, and took no notice of Wilson; so that Wilson really knew nobody but Dr Fordyce, who was a queer creature, without conversation. Wilson and I there met. He was not a forward—no, he was rather a reserved, even bashful man; but he was six feet one inch in height. Not long after it happened, I was not so poor but I could go and live apart from my father; so I went to a little eating or chop-house, called the Three Tuns, where I used to dine for 13d., including 1d. to the waiter. While sitting at one table, he was at another. I recognised him, and asked him to take tea with me. I found he was fond of chess. I was passionately fond of it. This was long after our meeting at Fordyce's, who was in the habit of bringing people together, giving no one any account of the others, so that they were

constantly in awkward plights. He thus introduced me to Solander's Club, where nobody knew me, and I knew nobody, and had nothing to say to anybody, nor anybody to me. At this time I was writing the Fragment. I showed him (Wilson) parts of it. He seemed struck with them, but uttered no praise, for he was afraid of being thought a flatterer. There was a constant correspondence between him and his sister, who was living with her father at Aberdeen. He used to show me her letters, by which I perceived the impression which the Fragment had made on his mind. Our intimacy strengthened, and at last we lived together constantly. While living in that habit of intimacy, came Lord Glenbervie and Silvester Douglas, who had been bear-leader to the Douglas whose legitimacy had been questioned. That Douglas was a ward of Lord Mansfield; but he had, notwithstanding, so lived as to outrun the constable. The great Douglas had his opera-girl, and the little Douglas had his; so he was recalled in disgrace. Douglas, who was a pert, supercilious fellow, but had talents,—very considerable talents,—came and entered himself at Lincoln's Inn. He and Wilson knew one another, and he used frequently to come and call Wilson to the other side of the room, and leave me in solitude, which annoyed me not a little. Douglas had seen much of the *grand monde*; Wilson nothing; so he would not lose any opportunity of hearing about it. Wilson was a most determined Whig, and a slave to the fashion. Very plain, but not the less anxious to be in the fashion. The aristocratical section of the Public-Opinion Tribunal had prodigious influence on him. In his study of the laws of property, he got hold of some of my phraseology, which was of great use to him. He admired Fearne* prodigiously—I held him in contempt. For many successive years we used to go, in the long vacation, to the country together. How I found means I know not, but that I had two or three trifling legacies. My father, on his second marriage,

* Essay on Remainders and Devises.

made a little settlement on me of a farm in Essex, worth £60, on which there was an excessive land-tax, reducing it to less than £50. Then there was a malt-house at Barking, which, when it was tenanted, gave £40; but it was not always tenanted: and for these allowances, I was to appear as a gentleman, with lace and embroidery on occasion. I had four guineas to pay my laundress, four guineas to my barber, and two to my shoebblack.

"Wilson became a silk-gownsmen, and was at the head of the Norfolk circuit. He was cold in his manners, and rather touchy in his temper. I never but once had anything like a quarrel with him, and then we were meeting at Dr Fordyce's, and he said he wanted to consult me on some point of law. I laughed at him. He was a lawyer of eminence—I had quitted the law. He took it in dudgeon, even after I had explained it, though the explanation was simple enough. He was out of humour; but ultimately I quieted him. I had been sadly plagued with these chambers of mine. I had divers tenants, more bad than good,—insolvent and solvent. Among the insolvent was F——, from whom I could never get rent, nor drive him from the chambers. They told me I had no redress. I could not eject him but through the benchers;—but the benchers denied me relief. Wilson was a bencher, but he refused me all assistance. This shocked me so much that I could not afterwards see him with pleasure. I thought the rascality was characteristic. The lawyer! the Scotch friend! They gave, as a reason, that F—— was not a member of the society. I knew nothing of the existence of such a law; but I knew that if it existed, it was frequently violated, for there were many holders of chambers who were not members of the Inn."

On another occasion he said of Wilson:—"He was a follower of mine; but he always put himself at the door of some aristocrat or other. He had a great deal of *mauvaise honte*, and fear of ridicule. His ideas were clarified by my phraseology. I was blind in 1781 for two or three months, and he

was reading Coke upon Lyttleton. I wanted ideas, and asked him to read aloud, for their ideas were better than none. I made many observations, showing him that their ideas were to be amended: he did not want them to be amended, but only to learn how he could make money out of them. He once saved my life. We went to bathe at Leyton. I could not swim—not a single stroke. The tide was rapid. I walked on up to my neck. I thought of turning back. I turned round, but could not resist the tide. I floundered about, my head sometimes above, sometimes under the water. He was scampering about in the meadows. I cried out. He saw me, now up, now down: he plunged in and saved me. I was then thinking of my death, and the effect my death would have on others. George Wilson told me to be perfectly passive. I felt that I was a-going, a-going; but he rescued me, and dragged me to the shore."

Bentham's other friend, James Trail, had held a situation in one of the colonies; and in the course of his life had been deputy-usher at court, dramatic sub-licenser, tutor to the Duke of Sussex, barrister, and M.P. for Oxford, which he owed to the Earl of Hertford, to whom Bentham represented him and his family as retainers. To his connexion with the Hertfords, Bentham attributed the severity with which he always judged the Shelburnes; for a feud existed between the two noble families, and Trail was in the habit of speaking of Lord Shelburne in terms of extreme abhorrence. So far was this pushed, that on the occasion when, in the solitary king's speech prepared by Lord Shelburne, the words were introduced, that "Accounts cannot be too public,"—an admirable maxim, and whose recognition, on such an occasion, was a highly important conquest to reform, Trail set upon this phrase, as Bentham declared, "like a mastiff upon the throat of an assailant of his master, and called it 'innovation,' 'hodge-podge,' 'miss-meddling,' and 'farrago.'"—So blinding are the effects of party-prejudice!*

* The following notice of trail is from the Memoirs of Sir Samuel Romilly, vol. i. p. 434:—

In reference to the debates of the day, Trail writes, on the 22d January, 1784, from London :—

JAMES TRAIL TO BENTHAM.

“On Monday, we expect a motion from Fox, or some of his friends, relative to the conduct of the High-Bailiff of Westminster. Most people agree that his conduct is irregular in not making a return of the two candidates who were highest on the poll; but the great difficulty is, what the House of Commons ought to do to remedy this irregularity; whether they can call the High-Bailiff to the bar, and order him to make a return; or if they ought to refer it to a Committee, under Grenville's Act, to determine what he ought to have done, and what he ought now to do. Some think that, as his power expired on the day the writ was returnable, and no return being then made, the House can only declare the election void, and order a new writ to be issued. Whatever turn it may take, it is expected to be a popular topic for Opposition; and I suppose we shall hear of it as often as they possibly can introduce it.

“It is expected that Pitt means to repeal Mr Burke's Act, or at least some part of it, in order to restore the Board

of Trade. Sir James Lowther has been exceedingly offended that Lord Abergavenny was made an earl before him, because the daughter of John Robinson, formerly his steward, may eventually take rank before his wife. It is said, that he is now pacified, but on what terms I have not heard: according to some, he remains a commoner, and will, notwithstanding, continue to support the administration. Others say, he takes his six titles, and has obtained, besides, the promise of a blue riband.

“We hear that Pitt has prepared an India bill, nearly the same with Fox's: the trade to be left in the hands of the directors; the government to be vested in Commissioners for a term of years, but named by the Crown.

“Probably his plan, establishing the succession to offices in rotation, will make a part of his bill, and in that case it will be nearly the same with what Fox proposed after his first bill was rejected by the House of Lords. The only changes talked of are Lord Carmarthen to be Privy-seal, Lord Sidney to be Secretary of State for Foreign Affairs, and Dundas to be Secretary for the Home Department.”

George Wilson writes also, on matters of public interest, 19th June :—

GEORGE WILSON TO BENTHAM.

“The Westminster scrutiny goes on rapidly. In the first week, two votes of Mr Fox's have been decided upon, and both confirmed. A third has been heard, and the decision adjourned till Monday. The mode agreed on is, that Sir Cecil shall first go through all his objections in the parish of Soho; and then Fox go through his: after which, they go to another parish. But many people think they will never get out of Soho.

“We understand, Sir R. Hotham is to come in for the borough. Lord North made a great speech, and Pitt a miserable one, on the reform. On that subject, and the receipt tax, people may now judge of the ministers' sentiments. Adam has got another son, and, what is better, he is getting a deal of money by Scotch Appeals. Trail is drawing like

“My [Sir S. R.'s] first acquaintance with Wilson was in the year 1784. The first circuit I went, which was in the spring of that year, I met Trail, who was then travelling it for the last time. Having gone round to every assize town for three successive circuits without having a single brief, he gave it up in despair, as he afterwards relinquished the Chancery Bar. He was a very remarkable instance of a man most eminently qualified to have attained the highest honours of the profession, but who having no other recommendation than his great talents, was indeed respected, admired, and consulted continually; but it was only by those who were of the same rank in the profession with himself. No attorney ever discovered his merit; he never got any business, and the profession was to him only a source of expense and disappointment. By being continually in the same society during the three weeks or month that the circuit lasted, we became very well acquainted together; and he was so intimate with Wilson, that it was impossible to have formed a friendship with him, and not frequently to be in Wilson's society. In a short time I became as intimate with the one as with the other; and our friendship remained undiminished and uninterrupted for a moment till I lost both of them by death: Trail, in 1809, and Wilson in the present year [1816.]”

a wagon-horse, from morning to night, and from Monday to Saturday. I am, as usual, attending the King's Bench, and idling away the afternoon."

Dr Swediaur writes from Edinburgh, on the 15th July:—

DR SWEDIAUR TO BENTHAM.

"Dr Smith, with whom I am intimately acquainted, is quite our man; he is busy about a new edition of his 'Wealth of Nations.' We have a club here which consists of nothing but philosophers. Dr Adam Smith, Cullen, Black, Mr M'Gowan, &c., belong to it; and I am also a member of it. Thus I spend once a-week, in the most enlightened and agreeable, cheerful and social company."

Several of the letters of this period, relate to the publication of Voltaire's Memoirs; as to which, Dr Swediaur, in a postscript to the above, says:—

"Have you read Voltaire's Memoirs of his Life, written by himself? I just got a copy of it from Paris; it is excellent; and great many anecdotes, especially those about the King of Prussia, I know to be true. The old scoundrel will not be much pleased to have his character so much exposed during his life-time."

And Trail on the 9th August writes:—

JAMES TRAIL TO BENTHAM.

"I have read *Memoires de Voltaire*. They are entertaining, and if not genuine, are at least a tolerable imitation of his manner. If I had been persuaded that they were authentic, I am not sure but my expectations would have been disappointed in the perusal. There is nothing interesting, and little of any thing except what relates to the King of Prussia.

"I admit that Smith's book is in the press, and that it has considerable additions. It will appear in 4 vols. octavo. I cannot learn to what particular points the additions relate. It will not be published in less than two months.

"I hear of no public news but from the

papers; I need not repeat what you see there. If the *General Advertiser* is to be had at Whitechurch, you will be entertained, perhaps, with the account given in that paper of last Saturday of Fox's speech the night before. I am told by those who heard it, that it was equal to any he has ever made, and with the uncommon advantage of being a reply to Pitt, who has now given up the only remaining measure he had struggled for some time to maintain. The people in the city, I hear, are beginning to talk very freely of the inexperience and incapacity of their late favourite minister, and Fox has given them great satisfaction by his temperate and discriminating opposition to such measures only as they have disapproved of. If Pitt should have as much to do next session, I own I should not be surprised to see such a current against him as might affect his power; but he has got through all his taxes, having provided for the interest even of that part of the debt which will not be regularly funded till next session. I cannot foresee that he will have any thing to do next session but to mend the high roads and enclose commons, and make a parading speech about the produce of the Sinking Fund, and the application of the surplus."

One of Trail's letters of 16th September, gives a detailed account of Lunardi's balloon ascent the day before.

JAMES TRAIL TO BENTHAM.

"London, 16th September, 1784.

"DEAR BENTHAM,—Wilson has so far relented that he has permitted me to write you some account of Lunardi's excursion with his air balloon. Fordyce undertook to fill it with inflammable air, and executed his part of the business with great coolness and success. He intended to have begun his operations on Tuesday evening about six o'clock, but was prevented by various accidents till five next morning, so that he was obliged to make ten gallons of air in a second, which exposed the balloon to be set on fire from the great heat produced by this rapid process. The ingredients

were oil of vitriol and zinc, with a great quantity of water; and, according to his calculations, he was, from £150 worth of each, to collect a sufficient quantity of air, and, at the same time, to make as much white vitriol as would sell for £400, at the rate of £10 less per ton than the market price. By this good management £100 will be gained by the process. About one o'clock, the time fixed for the balloon to go off, Lunardi became very impatient, and was afraid the mob would have broke in; so that Fordyce was obliged to humour him, although he had not been able, notwithstanding all his exertions, to collect the quantity of air he wished. Upon trial, it was found that there was not enough to raise the two travellers with twenty-five pounds of ballast, which obliged Biggins to get out; and Lunardi set out by himself, with about thirty pounds of ballast, part of which he threw out almost immediately after he rose from the ground, to enable him to clear a row of houses adjoining the Artillery Ground. We saw everything so distinctly, and were so much satisfied with the safety of the attempt, that it was by no means that awful or solemn scene that I expected—everybody greatly interested, but cheerful and gay; and in about ten minutes he was at such a distance that we could scarcely discover the gallery fixed to the balloon. It went at first north-west, and afterwards nearly due north; and in about three quarters of an hour, was out of sight of every person, I believe, in London.

“No certain accounts were received in town, of the conclusion of this voyage, till this afternoon, when two letters—one to Dr Fordyce, and the other to Biggins—came from Lunardi, written from Baker's house in Hertfordshire. In these letters he says, that, after having been up some time, he descended by means of one of his oars, (the other he dropped by accident,) till he came very near the earth; and by throwing out a small grappling-iron, he brought himself to an anchor in a large field where some men were at work. To these people he called with his speaking-trumpet, and

got some information, which he does not specify. After leaving his cat with them, he threw out the remainder of his ballast, and ascended to a much greater height than he had been before. In his first voyage, the thermometer did not sink below 35°; but in the second trip it fell down to 29°. Some vapour had got into the balloon, and, being condensed, fell down now and then upon him in drops; but, when at his greatest height, these drops were frozen. He does not mention what brought him down a second time. It is thought, notwithstanding his account, the cause of his coming down both times was the waste of the inflammable air through the seams, and perhaps the body, of the silk. The oar was too small to have such an effect as he imputes to it. By his own conjecture, he rose the second time to the height of four miles; but as he had no barometer, (which was in Biggins' pocket, and forgot in the hurry,) we cannot depend upon the accuracy of his judgment.

“He was up, altogether, two hours and twenty minutes; and landed three miles beyond Ware, in Hertfordshire, where he was soon joined by General Smith, and some other gentlemen who had followed him out of town on horseback, with whom he dined, and went afterwards to Mr Baker's house. In his letter to Biggins, he expresses his regret that he had not his company, which, he says, prevented him from enjoying his voyage—but assures him he shall accompany him on the next; that the balloon shall be filled quite full, and if then it will not carry two, he, Biggins, shall go up alone. The balloon came safe to town this evening, in Baker's caravan, and was lodged, amidst the acclamations of a great mob, at Biggins' house, in Essex Street.

“Fordyce had a very ingenious contrivance to let out the inflammable air, if it had been necessary. He fixed two silk tubes about the middle of the balloon, which hung down, and in that position, although open, the light air could not force its way out; but by means of a rope and a pulley, which went over the top, Lunardi could raise up either of the tubes as high as any part of the balloon,

and then the air could have flowed out freely. It does not appear that he made any use of this contrivance. But it is a proof the principle is sound—that the bottom of the balloon was open the whole time. Lunardi was chilled with the cold, although he had on a flannel shirt and drawers. We may expect to see him aloft again in a few days. We are promised, besides, an exhibition of a balloon from Lord Foley's garden, on Monday next, with which Colonel Gardiner and Mr Sheldon are to ascend. Blanchard, who went up in France, has brought over his balloon, and will no doubt perform some feats, unless Lunardi has anticipated him. He was in the Artillery Ground on Wednesday, and endeavoured to turn everything into ridicule, and at the same time to alarm the people who stood near the balloon, while it was filling, for their safety. He assured them the casks would certainly burst. He was so much attended to, that several persons asked the Prince of Wales, who stood very near, to retire; but he, with great indifference, desired his companion, Tommy Onslow, who was uncommonly anxious to get him away, to retire himself, if he thought there was any danger. Although the concourse of people was immense, yet few in proportion came into the Artillery Ground; and it is said, not more than £400 was received for tickets.—Yours,

“JAMES TRAIL.”

I find an advertisement in the *Morning Advertiser*, announcing M. Lunardi's intention of ascending from the Artillery Ground, which the Honourable Company had let to him for one hundred guineas, to be presented to the children of Sir Barnard Turner—an arrangement in which, M. Lunardi says, he “feels a pleasure inexpressible.”

The following is an extract from a letter from Dr Symonds, dated Trinity College, Cambridge, April 28, 1785:—

DR SYMONDS TO BENTHAM.

“DEAR SIR,—I should have answered your letter much sooner, if it had not been for my staying to take an oppor-

tunity of one of my friends going to London, that he might carry a dissertation, which I beg your acceptance of. It was written during the American war, and most probably never fell into your hands. In 1761 and 1762, I read, with particular attention, the principal Greek and Latin historians, and had many points in view, among which was colonization: that was not a party question before the Stamp Act passed. When I answered my antagonist, who is a Scotchman, I had nothing more to do than to have recourse to my notes, which soon convinced me that something more than an honest inquiry after truth prompted him to misrepresent the writers of antiquity; and, in fact, he was soon rewarded by the ministry with a pension of £200 a-year, which he is reported to enjoy at this time.*

“I am not a little flattered with the opinion you are so good as to form of my papers in ‘Young's Annals.’ I intend to give him some upon the *moral causes*; and afterwards to publish them myself in a distinct volume, with many additions; and shall avail myself of your kindness in offering to do anything for me in Italy. You will be able to inform me of some changes that have taken place since the year 1770, when I left it, and to clear up some things which I did not observe in so explicit a manner as I could wish, though I did not lose much time during the long residence that I made there. Most of my friends are dead who could be of real service to you. I shall certainly remember to give you letters for Cirilli of Naples, and the Abbé Fortis of Venice, whom you will find both instructive and agreeable.

“As to modern publications upon the political economy of Italy, I know of none. When the Italians treat of this subject, they say little about their own country; but load their books with

* Dr Symonds (who was Professor of Modern History in the University of Cambridge) published in 1778, “Remarks upon an Essay, entitled, The History of the Colonization of the Free States of Antiquity,” the pamphlet above referred to. The work which called it forth was published in 1777, and bore on the American War. Its author was Mr William Barron, Professor of Logic in St. Andrews.

quotations from English and French writers. The best book that I have seen is the "*Lezioni del commercio o sia dell'oeconomia civile*," by the Abate Genovesi, whom I knew very well at Naples; but nine-tenths of this book, though useful, are general maxims, and not much is said of the civil or political Oeconomy of Italy. I brought with me from Venice five volumes of the *Giornale d'Italia*, a periodical paper, published by Grissellini, which had sometimes tolerably good matter, though even that was too much charged with extracts from writers on this side the Alps. Whether it has been continued of late years, I do not know; for I never could get any information about it from our London booksellers. I do not imagine that Lalande will afford you the assistance you would wish to receive. I recommended him to our *young travellers*, in preference to the rest of the voyage writers, because he has a *few* chapters upon the weights and measures, products, and manufactures of the several governments in Italy; but unfortunately these bear not the least proportion to the rest of his book; which is filled with dry and defective accounts of pictures, &c., unmercifully retailed from other writers."

There is a very amusing epistle of Bentham's to Mr Townsend, dated May 2d, 1785:—

BENTHAM TO JOSEPH TOWNSEND.

"DEAR SIR,—Here am I still: how much longer I shall be here I do not, as yet, precisely know; nor by what track, nor by what conveyance I shall migrate elsewhere. I am waiting for letters from Petersburg; that is to say, I am in the state and condition of your friend Horace's countryman, who kept waiting for the river to run itself dry. Thanks to my sins, I have to do with one of the most indolent men of one of the most indolent nations upon the face of God Almighty's earth. I write him letter after letter about business purely his own. He, I am told, expresses much satisfaction; and how do you think he testifies it? You would suppose, by an-

swering them. No such thing: he orders them to be translated out of my dog-French into Russian, for what purpose, or for whose use, I cannot pretend to guess: not for his own, most certainly; as he makes, at least, as much use of the French as of the Russ. However, he talks of writing soon, and there the matter rests.

"As for you, I will almost venture to prophesy you will not quit Tin island in a hurry. The gnomes of Cornwall have encompassed you with silver chains. I see the would-be Gulliver struggling to get loose, in case a swarm of little Plutuses keep fast hold of him by the heart-strings.

"As to Sir Edward Bayntun, I am much obliged to him for his good intentions: they are, like Prince Potemkin's, of lasting stuff, not to be put an end to by performance. I should rather have said, for his declarations; which assuredly is full as much as I had any title to expect.

"To come back to milk-maids. You gave me, as your decided opinion, that no such animals would be to be met with born in two counties at once. After great consideration and some inquiry, I am inclined to think you are in the right; indeed, I never could hear of more than one sort of being that is to be found in more than one place at a time, in any period of its existence. I think, therefore, I have done something in finding in the person, a niece of my all-capable Scotchman, an intelligent, well-bred, young gentlewoman, of about twenty-five, who, to the theoretical merit of having imbibed sound chemical principles from her uncle, adds the practical requisite of having been born and bred in a Cheshire dairy. You will say that is doing the business but by halves: true; but it would be more than half done if I could get her regenerated in Wiltshire. Now, how to bring about this good work? Of myself, you know I can do nothing. To the art of regeneration I make no more pretensions than to its simple prototype. But you, my venerable friend, are alike an adept in both: the last your pas-

time is, the first your trade. Now, then, how shall I contrive to pay you? for every one must live by his trade, and yours is none of those which men are wont to live the worst by. Don't be wicked, now, and think that I mean to propose to you to pay yourself by intermixing, upon this occasion, your pastime with your trade: that would be curtailing you of a syllable, without making you a jot the richer; besides, that my commission does not extend quite so far: and, sacred as the precedent is, it is possible she might have her scruples about acting the part of Ruth, though you were to be her Boaz. I mean to pay you more liberally in your own coin. Pewsey, I am told, or the near neighbourhood of it, is a second Canaan: don't be angry, I speak of its produce, not of its inhabitants. The ditches, instead of mud, are filled with milk; and the footpaths, instead of gravel, are cased with cheese. You cannot but know plenty of your *ouailles*, or of their *commères*, who, out of christian charity, aided by the moderate application of a more substantial motive, would undertake this pious work. The process need not take up above a week; and any recompense you thought adequate—two or three guineas suppose—would be cheerfully bestowed. But what, you will say, has become of the Livites here, all this while? Have a little patience. I have a piece of malachites (ay, heavenly powers, what a piece!) fit to make a breastplate for the angel Gabriel. Who can say that it may not have served heretofore to that use? Stones, you tell us, have fallen from heaven before now; and why may not this be one of them? Sure anything half so beautiful could never have been dug out of the earth. This jewel, my fair cheesemaker, who, I understand, is a fossilist to boot, shall bring down in her lap, and deposit, with pious gratitude, in the *sanctum sanctorum* of Pewsey. To this shall be added about fifty or sixty specimens of Siberian ores, sent over by my brother, in days of yore, as an earnest of better things to come. True it is, these were put up in

a bundle, with your direction to them, before I had thought of Pewsey in any other light than that of a place in which I had spent some pleasant hours, and might, possibly—at I know not what distant period—spend more. But the handling of so much wealth hath made me mercenary; and I have vowed a vow—a tremendous, irrevocable vow—that your eyes shall never behold a single grain of them, unless wafted to Pewsey by that enviable conveyance.

“When you see Lord Lansdowne, you will hear of a great pie which was cut up at his house, and in which, alas! alas! I full well know my reverend friend would have rejoiced to have had a finger. I cried out with a loud voice, Where is he? They answered me, and said, Three hundred miles off, even in Cornwall, too busy and too wise to leave mountains for a horse-load of chip band-boxes. What could I do? There is an hour for pies as for other things. The hour of this pie was come: it had been kept till it would keep no longer. But what hath kept, keeps still, and will have kept when pies and custards are grown stale, (how does my little custardophagus?) is the sincere regard and esteem with which I am, dear Sir, your obliged friend and humble servant,

“JEREMY BENTHAM.

“If at this distance you can assist me, I beg leave to propose the best mode of doing it,—that, in your answer to me, you should enclose a letter, addressed to the discreet matron whom you harbour with you, that I may forward it to her. The lady's name is Miss Kirkland. At any rate, I beg your immediate answer, that other measures may be taken if this should fail.”

To this Mr Townsend replies:—

JOSEPH TOWNSEND TO BENTHAM.

“MY DEAR SIR,—I crossed myself a thousand times when I saw the breastplate. Had you never told me whence it came, I should have known that it belonged once to the angel Gabriel. I am happy that it fell to earth, and

happier still that it found the way to Pewsey. I never saw anything half so resplendent. With it there came a magnetic cristal of iron, of a most peculiar form, a nondescript, which I value highly. Most of the specimens are numbered, and refer to some catalogue. I wish you had copied out the inventory, as many of the substances are new to me.

I was much disappointed in not finding here my amiable guest; and fear, by the shortness of her stay, that her abode was not agreeable. I hope solitude was her only objection to this mansion, and wish to persuade myself that my house-keeper was not defective in attentions."

The following passages are extracted from Bentham's Commonplace Books of this period of his life:—

Blackstone.

"His hand was formed to embellish and to corrupt everything it touches. He makes men think they see, in order to prevent their seeing.

"His is the treasury of vulgar errors, where all the vulgar errors that are, are collected and improved.

"He is infected with the foul stench of intolerance, the rankest degree of intolerance that at this day the most depraved organ can endure.

"In him every prejudice has an advocate, and every professional chicanery an accomplice.

"His are crocodile lamentations.

"He carries the disingenuousness of the hiring Advocate into the chair of the Professor. He is the dupe of every prejudice, and the abettor of every abuse. No sound principles can be expected from that writer whose first object is to defend a system.

"His is the "*ædum crimen servitutis*"—the foulest of all intellectual blots that can deform a character."

Rotten Boroughs.

"Dilemma to the proprietors—

"If you have no such property, you are not injured by taking it away: If you have, avow it, and make it out.

"For the season of Reformation—

"Watch the time when the principal proprietors are obnoxious to the majority.

"For this purpose, form a Tariff of the several Borough interests.

"For example—Right Hon. T. Townsend, jun., and E. Selwyn, have five seats between them, which upon Selwyn's decease will be all Townsend's."

Principle of Utility.

"If there are instances in which those ends of punishment which are subordinate to that principle, are [without the introduction of a mischief greater than the benefit of their being attained in this manner] more effectually to be obtained by punishment thus applied than otherwise, then your proposition, as a universal one, (and as such you give it,) is not true. If there are not, then it is true: but self-evident it is not.

"It is *really* true, because it is conformable to the principle of utility. *Apparently* true, because in those instances of its application which are most obvious, its conformity to the principle of utility being obvious to the eyes of most men, the truth of it findeth reception with, and makes its way to the eyes of most men.

"It is indisputable truth, says another, that no act should be punished criminally without a criminal intention. Is it not so? I don't know. In the first place I don't understand you. I suspect you don't altogether understand yourself. Settle with yourself what you mean by the word "intention;"* and then state your question to the principle of utility. If you get an answer that is fit to satisfy you, it must be from that.

"The opinion of the world (I am speaking of the people in this country) is commonly in favour of the principle of utility: it sometimes is against it. According to most of its judgments, that principle should be just: according to some of them, it should be false.

"Other standards are occasionally set

* There is an ambiguity in this word: some understand it always in its proper sense; others understand it sometimes in that sense, and sometimes in that of the word motive. Because they both use the same word—they do not perceive but what they both mean the same thing; but the two things are entirely different.

up, which, when examined, appear to be either the same standard under a disguise, or no standard at all, but a man's own opinion [under a disguise] new dressed out, and brought into court to give testimony for itself.

"What is it that a *man* means when he asks for a reason why he should do a thing? Some consideration from which it may appear that the doing it will make for his happiness. What is it that a *statesman* means when he asks for a reason why such a thing should be done? Some consideration whereby it may appear that its being done will make for the happiness of the state.

Utility citius per se quam per Textus.

"Maxims of utility are propositions deduced from the testimony of sense. Now, it is as much safer as it is shorter, to trust to one's senses, than to one's interpretation of a book, filled (it is no matter for this purpose from what cause nor from what necessity since the fact is undisputed) with obscurity and *apparent* contradictions."

Apostrophica ad Orthodoxos de Principiis.

"O Orthodox! are these principles, which, powerful you set at work, and impotent you disclaim, adverse to the happiness of society? then testify against me. Show me when I am mistaken. Deal fairly with me, and I will kiss the rod of your correction. There is no need of your imprisonments, your disabilities, your ecclesiastical courts, your King's Bench, since the King's Bench is yours. Show me where I am mistaken and I will recant.

"There is no need of your ranting at me in your House of Commons, where I am not to defend myself.

"Is there any one of these my pages in which the love of humankind has for a moment been forgotten? Show it me, and this hand shall be the first to tear it out.

"But are they not adverse? are they favourable, (for in principles which are the foundation of practical conclusions, there are no mediums) and do you still condemn them? then what mean your

declarations against mistaken philosophers as the pestilence of society?

"O Orthodox! if the principle of utility be the parent of morality, and these its offspring,—if these principles are just, (and you show them not to be otherwise,) you are the pest of society if ye condemn them.

"No vague declamations, no hacknied metaphors, no attempts at wit, which you court when you think you have opportunity, and which you shrink from with horror at, when they are against you; no shiftings, no beggings of the question. Cast off the prejudices that blind you, drive away the phantoms that affright you; take the line and plummet in your hands, and with firm but cautious steps descend with me into the heart of man."

Elogia—Locke, Priestley, Beccaria, Johnson.

"O Locke! first master of intellectual truth! without whom those who have taught *me* would have been as nothing! let thy blest spirit, if now it looketh down upon the affairs of men, acknowledge my obedience to the first great lesson of thy life, in the assertion of independence, and make its report in my favour to the Throne, the Judgment-seat above.

"Priestley was the first (unless it was Beccaria*) who taught my lips to pronounce this sacred truth:—That the greatest happiness of the greatest number is the foundation of morals and legislation.

"Johnson is the pompous vamped of commonplace morality—of phrases often trite without being true.

"Tourel measured out his academic periods in defence of torture."

Philip and the Athenians are the Ministry and the Legislators.

"Athenians, (said Demosthenes, or something like it,) you are Philip's under-generals; you march where he

* The expression is used by Beccaria in the Introduction to his Essay on Crimes and Punishments, where he condemns the laws made by passion and ignorance as not having—questo punto in vista, *La massima felicità divisa nel maggior numero* (this end in view,—*The greatest happiness divided among the greatest number.*)—The italics are the author's.

appoints, you wait upon his nods. Goes he to [Tenedos,] you follow him to [Tenedos]—meantime he is gone to Corinth—each campaign marks out for you the plan of your operations. He sweeps you after him as the substance does the shadow.—Dare you get before him? Dare you cross his path? Oh! no: it would be high-treason.”

Mansplitting.

“By the manner in which man has been scored by some political writers and system-makers, one would think they took him for a Polypus. Montesquieu split him into two halves, one of them may be rendered good (by one cause,) while the other is rendered evil by another cause. The laws of perfection derived from religion, have more for their object the goodness of the man who observes them, than that of the society in which they are observed. Civil laws on the contrary have more for their object the moral goodness of men in general, than that of individuals! But what is it that a writer means when he talks of good men making up a community not good, and of a good community made up of men not good?

“Bishop Warburton has [gone farther—he has] made three selves out of a man; and lest they should be surprised at finding what’s done to them—not so, only, says he, but if I find I want more, I make as many more out of you as I please. What! three distinct men out of one man? Yes, three distinct men to be sure—What do you think I am talking about? What do you take me for? A metaphor-monger, a romancer? Know that I am a logician; mind me, now—I am going to prove it as plain as the nose upon your face. Maj.: A distinct will and personality make a distinct man. Do you deny it? Have at you, then.”

Montesquieu.

“When the truths in a man’s book, though many and important, are fewer than the errors; when his ideas, though the means of producing clear ones in other men are found to be themselves

not clear, that book must die: Montesquieu must therefore die: he must die, as his great countryman, Descartes, had died before him: he must wither as the blade withers, when the corn is ripe: he must die, but let tears of gratitude and admiration bedew his grave. O Montesquieu! the British constitution, whose death thou prophesiedst, will live longer than thy work, yet not longer than thy fame. Not even the incense of [the illustrious Catherine] can preserve thee.

“Locke—dry, cold, languid, wearisome, will live for ever. Montesquieu—rapid, brilliant, glorious, enchanting, will not outlive his century.

“I know—I feel—I pity—and blush at the enjoyment of a liberty which the birth-place of that great writer, (great with all his faults,) [forbade him to enjoy.]

“I could make an immense book upon the defects of Montesquieu—I could make not a small one upon his excellencies. It might be worth while to make both, if Montesquieu could live.”

Jury.

“On the question whether a fact was or was not done, there are three states in which a man’s opinions may be. He may believe that it was done; he may believe that it was not done; or he may find himself unable to believe either one way or the other. The alternative, one sees, is triple. Belief positive on one side; belief positive on the other side: belief negative on both sides, or neutrality. The law, neglecting one branch of it, makes it only double. If, believing the thing was done, a man says he believes it was not done, he says untrue. If not believing it was not done, he says it was not done, he says untrue. If believing it was not done, he says it was done, he says untrue. If not believing it was done, he says it was done, he says untrue. It will often happen that, on a fact proposed, men will find themselves unable to believe either that it was or was not done: they do not believe that it was done; they do not believe that it was not done. These, when upon a Jury,

the Law forces to say either that the accused was guilty, viz., that the fact which, having been done by him, makes him guilty, was done by him; or that he was not guilty, viz., that that fact was not done by him. These, therefore, the Law forces to say what is untrue. Is it necessary for the purposes of justice—for the security of the innocent—for the punishment of the malefactor, that men sitting upon their oaths in judgment, shall be forced to say what is untrue? I submit this to the consideration of those whom it concerns.

“How then would you have it attained? Thus the opinions that may be forced are three, let the expressions of these opinions be three. Give to each opinion

the liberty of expressing itself. Let those who are satisfied the fact was done, say guilty: those who are satisfied it was not done say, not guilty: those who are not satisfied either that it was, or that it was not done, say “unsatisfied.” It remains to decide the fate of the accused according to the proportion of the number of voices to the respective answers. The conflict lies between those who, on the two opposite sides, have given a positive opinion. The unsatisfied are neuter.

“Caution, that the separate opinion of each be not published. Oath of Secrecy, as to that matter to be taken.

“Make a Table of the possible proportions of the Numbers of Voices to each opinion among twelve people.”

Guilty.	Not Guilty.	Unsatis- fied.	Guilty.	Not Guilty.	Unsatis- fied.	Guilty.	Not Guilty.	Unsatis- fied.	Guilty.	Not Guilty.	Unsatis- fied.
12	0	0	7	4	1	4	1	7	2	0	10
11	0	1	7	5	0	4	2	6	2	1	9
11	1	0	6	0	6	4	3	5	2	2	8
10	0	2	6	1	5	4	4	4	2	3	7
10	1	1	6	2	4	4	5	3	2	4	6
10	2	0	6	3	3	4	6	2	2	5	5
9	0	3	6	4	2	4	7	1	2	6	4
9	1	2	6	5	1	4	8	0	2	7	3
9	2	1	6	6	0	3	0	9	2	8	2
9	3	0	5	0	7	3	1	8	2	9	1
8	0	4	5	1	6	3	2	7	2	10	0
8	1	3	5	2	5	3	3	6	1	0	11
8	2	2	5	3	4	3	4	5	1	1	10
8	3	1	5	4	3	3	5	4	1	2	9
8	4	0	5	5	2	3	6	3	1	3	8
7	0	5	5	6	1	3	7	2	1	4	7
7	1	4	5	7	0	3	8	1	1	5	6
7	2	3	4	0	8	3	9	0	1	6	5

And so to the exhaustion of the opinions of each.

Subscription to Articles of Faith.

“When a man has once got into the way of making Revelation serve him instead of Reason, and the opinions which men in authority hold instead of Revelation, and the opinions which men in authority avow instead of what they hold, he is prepared for the embracement of every absurd and mischievous error, and for the rejection of every salutary truth.

“His enfeebled mind is a field on which he sees prejudice accumulate upon prejudice without strength to throw them off.

“Agitated by vain terrors, his hypochondriac heart would tremble for a system for which he knew no other support (for in his breast it has no other support) than blind credulity.

“He would resist any project which, by bringing into canvass, might raise up objections to, and augment his difficulties in, the defence of a system which, not because true, but whether true or not he was resolved, against every consideration, to defend.

“His embarrassment he would never place to the account of a possibility of mistakes.”

Logic.

"O Logic!—born gatekeeper to the Temple of Science[s], victim of capricious destiny! doomed hitherto to be the drudge of pedants! come to the aid of thy great master, Legislation!"

Répands sur mes sens ta force et ta clarté,
Que l'oreille des Rois s'accoutume à t'entendre.

Public Spirit.

"When a crisis calls it forth, it blazes above the love of children—above the love of self—at any time may it soar above the love of kindred. This is no romance; it is in human nature. It is in this country. (And if in human nature, where should it be found but in this country?) The records of the State attest it. Sir Jos. Jekyll is an example: childless—master of a plentiful fortune by the favour of the public: I can do no better, said he, than restore it to that public."

Moral Sanction.

"The greater the communication among men, the greater the efficacy of the moral sanction. [The greater the number is of those persons on whom a man's happiness may depend, the more is he concerned to aim at general esteem.]

"A Turk shuts himself up in the harem: let him be well spoken of, or ill spoken of, his women will not be less beautiful, nor his slaves less obedient to his will. Without relish for the pleasures of society, he is insensible to that check which consists in the apprehension of being deprived of them. He has but one person to address himself to, for all he wants, or against all he can apprehend: it is his Pasha.

"Montesquieu spoke thus far true, when he said that the support of society in despotic governments was fear, though, in as far as it was said, it was not worth the saying.

"Fear is the support of despotic governments. Fear of what may happen to one, from a *certain man*.

"Fear is the support of society in republican governments: but it is fear of what may happen to one from *any man*.

"If it be true, according to the homely

proverb, 'that the eye of the master makes the ox fat,' it is no less so that the eye of the public makes the statesman virtuous. The multitude of the audience multiplies for disintegrity the chances of detection."

Apologetica Recapitulatoria.

"If the vanity of broaching new opinions,—(the common motive assigned to the publishing of a new opinion by a person who does not approve of them,) if that vanity, I say, had been ever so strong in me, it could not have created them. To me they appear useful—they may be new. Should I decline publishing what is new? No; but what is not new.

"These differences—it was not I who made them. It is God. I found them—I pointed them out. Why? Because I thought it of importance they should be known—because it is the business of the Legislator to augment the sum of happiness in the community, and because I thought the way for the Legislator to augment the sum of happiness in the community was to know them. To augment the sum of happiness in the community there is but one way—it is to change things evil for things good, and things more evil into things less evil.

"Now, to change things evil into things good, it is necessary to know what are evil and what are good; and to change things more evil into less evil, it is necessary to know what *are* more evil, and what are less evil.

"Things evil are things that cause mischief: things that cause more mischief are more evil: things that cause less mischief are less evil.

"Mischief is made up of pains and dangers. Things that cause more pains and dangers, cause more mischief: things that cause less pains and dangers, cause less mischief.

"To see how much pains and dangers a thing causes, and whether more than another thing, it is necessary to see how many sorts of pains and dangers it causes; and how many sorts of pains and dangers that other thing causes. This thing, I say, causes such and such sorts of pains, and such and such sorts of dangers—here

they are. I have averred a fact. Is it true? Is it not true? Any one is my judge.

"I am mistaken—show me where I am mistaken—does it not cause these? Which does it not cause? Show them. Does it cause more? What more? Show them.

"Is the truth discovered? I am happy.—By me? I am most happy.—Not by me, but by some other? Not altogether, perhaps, so happy; yet happy still: to have been the means of discovering a treasure is always something, though it were by a stumble.

"I never could be happy if, in matters like these of the last importance, in order to conceal my own errors, I had put a veil upon truth to hide it from other eyes.

"If the constitution of things turns out different from what they could wish it, the fault's not mine? Whatever it be, the business is to make it known; 'tis my greatest glory, and their greatest profit; the success of every enterprise they enter on for the public benefit, depends upon that knowledge.

"How should I have been able to have answered it to myself if, for want of any observations I could suggest, I had suffered them to rest their security upon false foundations?"—Vide *De l'Homme*, ii. p. 12, Sect. 5, Ch. ii.

Religious Sanction.

"Judging God to be a vain and proud and jealous being, like themselves, some men imagine that flattery and humiliation will give him pleasure.

"Judging him to be a selfish being like themselves, they imagine him to be more pleased by a conduct of that sort, and displeased by the omission of it, than pleased by a conduct promotive of the happiness of men, or displeased by one detrimental to it. Hence the setting up of the class of duties, as they are called, to God, above that of the duties to our fellow-creatures.

"Hence, in a word, the exaltation of so called religion above morality. Of religion, which, with respect to God, the object of it, is universally allowed to be useless, and which, with respect to men,

is useful, no otherwise than as promotive of morality above morality itself, by means of which alone it is in the power of religion to be useful."

Belief.

"Truth can operate only by supporting evidence: it cannot change sensation; it cannot change the sentiment of truth and falsehood. It is the ignorance of the powers of nature, of the extent of them, and of their limits, that is the cause of the credulity of the common people. Miracles and the secrets of nature to these behove to stand upon the same footing. To remove mountains by a word, may seem as easy as to draw fire from the clouds,—that is, according to vulgar speech, from heaven,—or to make iron swim.

"Offering rewards for faith, and punishments for the want of it, is, therefore, like offering rewards for, and punishing the want of, prejudice and partiality in a judge. To say, believe this proposition rather than its contrary, is to say do all that is in your power to believe it.

"Now, what is in a man's power to do, in order to believe a proposition, and *all* that is so, is to keep back and stifle the evidences that are opposed to it. For, when all the evidences are equally present to his observation, and equally attended to, to believe or disbelieve is no longer in his power. It is the necessary result of the preponderance of the evidence on one side over that on the other."

Temper Popular—Experiment.

"A measure is unpopular; but useful, were it not unpopular; should it be put in force? Perhaps it should, perhaps not: one cannot say. Forthwith? By no means.—Should it then be abandoned? Nor that neither.—What then? Thus:—You say it is useful? Yes.—Why is it? For such and such reasons.—But will those reasons be accepted by the people? Who knows?—It may know; it is a matter of experiment; ask them—feel their pulses—publish your plan, and at the same time publish your intention of adopting it, if they approve of it in a certain time. Is

there a violent outcry against it? let it drop. Is there but a faint outcry against it, or no notice taken? carry it into execution. What is to be deemed a violent, what a faint outcry? Ask not things impossible. Rules have here no place; your discretion must direct you; with this one rule only to assist it, the measure is still to be put into execution, if the good of it to them promises to be greater than the evil of their dissatisfaction at the thought of it.

"The result is, that the unpopularity of a measure can never conclude under these cautions against its adoption."

Commonplace Morality.

"The commonplace morality which deals in assertions without proof, and rises in wrath when it should rise in argument, fights with poisoned weapons,

and pleads the cause of truth with the tongue of falsehood."

At this period of Bentham's life, his favourite aphorisms were:—

"Qui trop embrasse mal etreint."

"Aliquis in omnibus, nullus in singulis."

"Dic aliquid atque illud tuum."

"Rectum, et sui index est et obliqui."

"Gloria in obsequio.—Apply this not to the king, but to the law."

"Hinc centum patrimonia causidicorum." (Juv. Sat: vii.)

"Surgis tu pallidus Ajax

Dicturus dubiâ pro libertate, Bubulco Judice." (Ibid.)

"Veteres avias tibi de pulmone revello."
—(Pers: Sat. v.)

"State secrets are State iniquities."

"Labor et ipse voluptas."

CHAPTER VII.

1785—1787. Æt. 37—39.

Preparations for Tour in Russia.—Prince Potemkin.—Departure.—Paris.—Journey by Genoa, Leghorn, and Florence.—Smyrna.—Mitylene.—Scio.—Constantinople.—Personal Anecdotes.—Letter to Lord Lansdowne.—Journey through Bulgaria and Wallachia.—Ovidiopol.—Kremenschuk.—Russian Army.—Illustrations of Society.—Sir Samuel Bentham.—The Establishment at Crichoff.—Correspondence with Chamberlain Clark and Wilson.—Abbott's Marriage.—Paley.—The Panopticon Scheme.—Sir S. Bentham's Inventions.—Defence of Usury.

BEFORE Bentham made the tour in Russia, of which this chapter will be found to contain some particulars, he collected vast masses of information on agricultural, trading, and manufacturing subjects, for the purpose of introducing improvements of all sorts, under the auspices of Prince Potemkin, in whose service his brother was then engaged. "Engaged," says Bentham, in one of his letters, "as Jack of all trades—building ships, like Harlequin, of odds and ends—a rope-maker, a sail-maker, a distiller, brewer, maltster, tanner, glassman, glass-grinder, potter, hemp-spinner, smith, and copper-smith."

I find a communication of Bentham to Prince Potemkin, dated from the *Diligence d'Eau*, on the Rhone, 27th August, giving an account of his journey,

and of the various arrangements he had made in his service. Potemkin's notion seems to have been, to transplant British civilisation and intelligence *en masse* to White Russia; as if all soils were equally adapted for the growth and development of capital, knowledge, and industry. He failed; as all have failed who forget that the march of mind, in order to be sure, must be slow; that it must gradually create around it its means and appliances; that the introduction of one, or a hundred enlightened foreigners into a country, is not sufficient to enlighten it; that all premature attempts to cultivate an unprepared soil will bring no productive harvest. Potemkin seems liberally to have scattered about his opulence, and to have exerted his influence; he was even fortunate enough

in the instruments to which he looked for success; but success was in the nature of things impossible: so his money was wasted and his power employed in vain.

Of the friendly feelings of Lord Lansdowne towards Bentham at this juncture, the following letter is evidence:—

LORD LANSDOWNE TO BENTHAM.

“July, 1785.

“DEAR MR BENTHAM,—I had a headache yesterday and the day before, which made it impossible for me to write. I send you all which I have been able to write to-day. I have desired the Abbé Morellet to give you letters for Lyons and Marseilles, as he has very good connexions in both places. I have desired Mons. Rayneval to give you one for the French ambassador at Constantinople. You must take your chance about Dijon, Genoa, and Montpellier; though, I dare say, Mons. Rayneval will give you letters for them if you can find a proper moment to ask him. I will take my chance of to-morrow's post finding you with three letters,—one for Rouen, another for Mons. Torryel, a celebrated lawyer at Paris,—and another, upon my own account, to the Abbé Morellet.

“I beg to assure you that you go with the affectionate good wishes of all this family. Lady Lansdowne and Miss F—— desire me to mention them particularly. My last advice to you is, upon no account to be taken in, to stay among barbarians: they can make you no offer worth your acceptance, except they were to name you ambassador to China—I own that would tempt me. Come back soon, and bring your brother with you, if he does not get a provision, ample enough to live upon here, in a few years, and as well secured as the Bank of England. In the meantime get into no intrigues to serve either English or Russian; no, not even with a handsome lady, if any politics should be mixed with it; for I have said in all the material letters, that I would be answerable for every part of your conduct, public or private.

“The Abbé Morellet may possibly

offer to carry you to Mons. Rayneval; but, in your place, I would go alone; but don't say I advised you to do so.

“I have told Sir H. M—— that you would write me an account of his health.

“I will send you a line for Blankett in case you meet with him.

“The post is going; and I must defer the rest till to-morrow.

“I am, very truly, yours,

“LANSDOWNE.”

The same sentiments are repeated in another letter:—

“The bearer, Captain Williamson, appears to me a very intelligent person. He has been last year at Constantinople, and the Greek Islands; and I thought it might be agreeable to you to make his acquaintance, which has made me desire him to call on you.

“I hope my servant told you, as I had not time to write as I intended, that we would have kept the *Voyages de la Grèce*, to be bound, before we sent them; but, as you will carry them on board ship, I thought it might be agreeable to you to have them half-bound in some fashion of your own, that might make them more portable.

“I hope you will have the goodness to present a sword from me to your brother, which you must pass for your own, to avoid the custom-houses through which you pass. Although a Russian colonel, I hope he will accept an English sword. I do assure you, that we are all (Miss F—— included, who is sitting by me) concerned for your going, independent of the loss of your company, which we always have considered as a resource, when the interested and the factions deserted us. We are apprehensive that you will lend yourself to some plan which interested and ignorant people may open to you; and after detaining and robbing you of time—which may be more reputably, at least, if not more usefully to yourself employed—may desert you. This observation applies equally to your brother's situation. I told Count Woronzow that I meant, if I had continued in administration, to have placed him in some advantageous situation here.

Count Woronzow knows him, and wishes to see you. If you please, make use of my name to him.

"I am obliged to write in great haste, because Captain W. and a good deal of company are by, and waiting for it.—Ever yours,

"LANSDOWNE."

Bentham left England in the beginning of August 1785. He had engaged a passage for Smyrna, on board the *Mary Frances*, Captain Richard Brine, which was to sail for Smyrna from London, and Topsham, on the 20th June for Nice; where Bentham, who travelled overland through Paris and France, was to meet her.

A remittance of £500 was sent to Bentham from Prince Potemkin, with a request that "a clever man" might be forwarded to the Crimea. A person was found, named Henderson, on the recommendation, I believe, of Mr Playfair, the brother of the late professor; and Bentham determined to accompany him to Crichoff, the spot on which his brother was established. The man's morals do not appear to have been of the purest, although he was apt at acquiring knowledge, and had botanical information, which was especially wanted. He cohabited with a person who was intended to manage a dairy, which Potemkin proposed to establish on that magnificent style which was then growing into fashion in England. Two routes were discussed: the northern, by the Baltic,—the southern, by Constantinople. The southern was chosen, in order that they might have the advantage of seeing a greater variety of botanical gardens in their way. Potemkin paid the expenses of the parties selected by Bentham,—two women and a man; but Bentham paid his own. The three subordinates were despatched to Paris "to learn what they could," and then to wait for Bentham, who followed a fortnight after. "This was at the period of the birth of chemistry," he said; "and the phosphoric matches lately invented, charmed me so much, that I wrote a poem, inquiring how the world could have gone on so long without these admirable light-givers." Bentham left his

affairs at home "rather at sixes and sevens;" and at Paris, being without any useful introductions, seems to have visited only two or three people, whose conduct was more seemingly courteous to him, than generally creditable to themselves. Among them was one whom Bentham mentioned as the prototype of the *Quinze Anglais*, who were represented as the pillagers of their countrymen. A French lady was very desirous of recommending Bentham to Lady Craven; but he declined the honour. At this period, as throughout his life, a strong curiosity was tempered and controlled by an unusual bashfulness. He had corresponded with D'Alembert; but had not courage enough to visit him.

Among the few persons he made acquaintance with at Paris was R—M—, who had been bred a physician. He was pulling the devil by the tail, and snatching at whatever he could from his rich brother. He accompanied Bentham to Versailles, where the king was then living. Rayneval, who had been receiving kindness from Bentham two years before, was there; and in addition to that claim upon him, Bentham had recommendatory letters from Lord Lansdowne to him, and anticipated a hearty welcome. Instead of welcome, he found coldness: no invitation,—but a letter proffered for Count Choiseul, at Constantinople, was accepted by Bentham,—which letter merely said, that the bearer was held in estimation by Lord Lansdowne. R—M— was a forward man, whose habit was to take everybody under his command, and talk dogmatically, interlarding his conversation with a perpetual "*écoutez—écoutez.*" He contrived to use others for his own glorification; and insisted on going to Versailles with Bentham, ostensibly for the purpose of escorting him; but really for the purpose of introducing himself, though he was meanly clad, and looked like a man in distress.

As to the language, Bentham was perfectly at home in France. He had so accurate a knowledge of French, that he wrote it with great purity and ease. He was not embarrassed for a choice of words, as the language has few syno-

nymes, or quasi-synonymes,—though he felt, as everybody feels, the irregularities and the imperfections of many of their verbs. German he had also studied.

A voiturier conducted the party, partly by land and partly by water, to Lyons, whence they descended the Rhone: its rapid stream delighted Bentham. His attention was naturally interested by the Pont St Esprit, and by the ruins of Nismes, which he visited on his way. "I remembered, too," he said, "the Journal de Tréveux, the periodical of the Jesuits, as we passed through that town." At Cette, which he visited, the extraordinary cheapness of living surprised him; and he was much gratified by a party of Frenchmen at a coffee-house, who insisted on the pleasure of treating him, because he was an English stranger. They proceeded to Antibes,—thence, by water in a felucca, to Nice, and thence to Genoa, where they were "land-bound or business-bound" for two or three weeks without any letters. A Genoese, however, of the name of Vignon, treated Bentham with great civility, and took much trouble to make his visit an instructive one. They next came to Leghorn; and Bentham left for Florence, to deliver letters to Sir H—M—, with which he had been furnished by Lord Lansdowne. Seavoyages were not much to Bentham's liking. "I was not sick;" said he, "but I was in a state of enmity with everybody around me, and thinking whether any enjoyment that was to come would repay me for the annoyance I felt."

Sir H— was an oddity. Bentham dined at his house every day, and every day eat ortolans; but he never sat at table. He had been a sort of gambling country squire, who had run out considerable property he possessed in Kent, and whose habits easily explained his embarrassments. Bentham was also recommended to Fontana, the writer on poisons, whose reception was cold and supercilious. He was then engaged in teaching chemistry to some of the emperor's children. Bentham heard somebody inquire, "*Che uomo è questo?*" ('what man is this?') and his answer was, "*E un orso Inglese!*" (it is an English

bear.) But he gratified Bentham by showing him a beautiful collection of wax anatomical preparations.

From Florence, Bentham returned to the vessel. "In passing through the Straits," said he, "I looked for Scylla and Charybdis, but saw neither—nor did I hear the barking dogs." Sicily exhibited the vestiges of an earthquake, with which it had just before been visited.

They passed among the Greek islands, specks rising inexplicably out of the ocean—no! not the ocean—the Mediterranean sea. A new passenger joined the party—a surgeon, who had outrun the constable, and who got on board the vessel to escape the pursuit of his creditors. He was penniless, and thrown on the wide world. He challenged Bentham to play at billiards with him, when they arrived at Smyrna, and having lost, no money had he to pay. At Smyrna, Bentham remained a month. A Jew, whom he was in the habit of calling "the virtuous Jew,"—pleasant, modest, intelligent, and disinterested,—accompanied him to the interesting sights of Smyrna, and Bentham invited him to England, assuring the Jew that he would exercise all hospitality towards him, but could not persuade him to promise. A Turkish garden was among the curiosities to which the Jew found access for Bentham. It was a sort of orchard of vines and other trees, without order or apparent arrangement. From that garden, Bentham sent specimens of the Sultana raisin to England, which he believed to have been the first of that species which had ever reached this country. In France, they have been of late years extensively cultivated, and bear the name of "Chasselas de Fontainbleau." From several of the merchants of Smyrna, Bentham experienced many courtesies; and in his memoranda, I find the names of Lee and Morier mentioned—names very familiar to oriental travellers and oriental students.

On leaving Smyrna, the vessel put into a small port in the gulf near Chesme, in ancient Phocia. There was a large stone with a Greek inscription in a sort of public place. While occupied in

copying it, a message was sent for him from the principal judge of the place, who, in consequence of his being so occupied, supposed him to be an Effendi; and Bentham was conducted to the Court of Judicature, where the judge received him with marked distinction. A Frenchman, who spoke Italian, acted as interpreter between Bentham and the Turkish judge, who, by way of displaying his learning, brought forth a folio volume on geography in Arabic, of which he displayed a map, and undertook to show from whence the Russian fleet had sailed, which had encountered the Turks in the last war, but he pointed out Archangel instead of Petersburg. "He told me, too, there was a prophecy, that the Turkish power would be upset by a Christian power;—a prophecy likely to bring about its own fulfilment."

The vessel which conveyed Bentham, was a Turkish vessel, taking her first voyage. He had no servant, but he made acquaintance with a German-Russian who had, and his conversation was very instructive. Henderson was on board with the two young women, one of whom was insipid and innoxious—the other a thorn in Bentham's side, and a rod of iron over Henderson's head. They were eight passengers in all. They found on board a singular personage in man's attire, of whom they knew nothing, and divers hypotheses were mooted respecting him. He was made the interpreter of the party, and they called him the Dragoman. There were many fine young men on board, but the ladies reported them to be covered with vermin—"they being," said Bentham, "more scrutinizing in that way." There was a young Mahomedan priest, whose religious chants interested the voyagers. The food was prepared in the Turkish style, and was minced by an instrument consisting of two knives in the shape of half-moons. The cabin, though well suited to the Turks, who were almost always squatted on their haunches, was, from its lowness, wretchedly inconvenient to the Christian infidels, none of whom could stand upright in it. The cabin did not offer much to instruct or amuse Bentham, and he generally aban-

doned it in the evening when the Turks collected there. He had a small bed at the cabin door; and I have heard him mention, that one night a violent storm arose, and he was summoned to quit his bed in consequence of the danger—"but I thought," he added, "that nothing I could do would be of any use in saving us, and I went quietly to sleep, having comforted myself with the reflection, that if I were to be drowned, to be drowned asleep was the best way of drowning; and I slept as soundly that night as on any night before or after." The vessel, however, was badly constructed, heavily laden, and even when there was no storm, the waters often washed the deck. One phenomenon annoyed Bentham greatly. While seated round the table, showers of maggots fell. He could not explain the mystery. It was the raining of the Egyptian plague; and one person was constantly employed in gathering up the nuisances and throwing them away. He at last discovered that a quantity of dates which hung over their head was the cause of the grievance. "The German-Russian sometimes catered and provided new dishes: among other things he gave us fish, preserved in oil and vinegar; and we returned his courtesies by some civilities or other." They landed at Scio, where the women came round the travellers, calling out "Inglese! Inglese!—buono! buono!" and offered to kiss my hands. "I wanted," said Bentham, "to kiss theirs; but they were seeking, not kisses, but paras." The vegetable scenery struck Bentham much—it was of a nature wholly new to him: palm trees, which he saw for the first time,—though he looked in vain for the orange groves. He reached the town by a walk of half a mile; by the side of which were stunted bushes of a succulent, or, to use his own phrase, "quasi-succulent character." The streets were too narrow for carriages, and served to exclude the rays of the sun. A storm blew them, as it blew the apostle, into Mitylene; a small harbour, in the middle of which was a rock, two or three feet out of the water, which it required no little dexterity to steer by in safety. Bentham landed in a boat, and

went into the fields, where abounded the intertwined narrow-leaved myrtles, Oleanders, and Agnus Castus. I remember hearing Bentham say, that in this Mitylene ramble he gathered botanical instruction by perceiving the fondness of the Oleander for marshy ground, which induced him ever after to give abundance of water to the Oleanders in his own garden—a garden, by the way, of which he was exceedingly fond, and in which he walked for an hour or two every day. It was the same garden in which Milton had often walked before, and which was, throughout Bentham's happy life, a perpetual source of happiness to him. And, by the way, I cannot pass over the love of flowers, which, I have already said, distinguished Bentham, without remarking that the distribution through the world of useful and beautiful plants and fruits, was one of his habitual occupations. His correspondence is full of suggestions for the introduction of new vegetable productions. He sent seeds from England to various parts of the globe. He directed the attention of his friends in distant regions to the collection and transmission of seeds from all parts. Where they had no botanical knowledge, he desired them to send all they could gather together; and especially, in lands little known, to reject no seeds because they appear to be in abundance; and he cautioned them against supposing, that because a vegetable grew in large quantities in one country, that it might not be very rare and very acceptable in another. He used to remark, that Botany was one of the most beneficent of sciences, as it lent itself to a boundless diffusion of new enjoyments.

The usual vicissitudes of a sea-life accompanied the voyagers. They passed a Venetian ship, the sails of which were shattered all to pieces. They expected her to founder, but she reached her port in safety. But they sailed close to a vessel that *had* foundered. The Turks, while the passengers walked backwards and forwards, used to come and eye the English girls, who gave them lumps of white sugar, which gratified them much, as they were in the habit of using sugar as a sweatmeat. The amusement of the

passengers generally was to throw a sort of trident or harpoon at the fish they saw, and they thus killed many. Bentham and the English passengers quitted the Turkish vessel on falling in with an English ship, by which they were conveyed to Constantinople. Having reached the sea of Marmora, a tempest drove them back on the Asiatic coast, to a place called Kimid, where they spent a night. On reimbarking, the ship was found surrounded by floating masses, which, on inquiry, turned out to be wine in skins, the cargo of a vessel which had gone to wreck. The storm was violent—the lightning so vivid, and the flashes succeeding one another so rapidly, that the period of light lasted longer than that of darkness. Bentham suffered somewhat from sea-sickness, but not enough to prevent his reading, and he employed himself in the study of the laws of Italy. He had letters to the Imperial Internuncio at Constantinople (whose name was Herbert) from Baron Regesfeld, secretary to the Imperial Legation here, and who had lived a longer time in England than in his own country. He had also a letter from Lord Lansdowne to Sir Robert Ainslie, who had been a wine merchant, and another to Count Choiseul Gouffin, from Rayneval, who had come with the French ambassador to make the peace of 1783. The Count was related to the Duke de Choiseul, and had written a pompous book about Turkey. Bentham was received very kindly by the Internuncio, and dined with him several times. His beautiful little daughter, then nine years old, charmed Bentham much. She was introduced as a universal linguist, and spoke eight or nine languages. Bentham took the child in his arms, upon which she screamed aloud, and her mother took the matter up in mighty dudgeon. At that period, as now, the whole of the diplomatic body inhabited Pera, the other end of Constantinople; but had their country houses at Buyukdere, a high promontory beautifully situated, and overlooking the Black sea. Bentham there fell in with Eton, who had written a book on Turkey. He introduced Bentham to the Russian Minister, Bulgakow, in whom

Bentham expected to find nothing better than a Calmuc barbarian, but he was a man of singularly handsome person, not to be distinguished from the best educated of Europeans. At his hôtel, however, though they dined between one and two o'clock, the guests were accustomed, even on occasion of great entertainments, to play at cards long before they sat down to dinner. Bentham remarked a prodigious variety of dishes, and was flattered by the attentions shown him, and the seat of honour that was given him. The minister talked with enthusiasm of his country; and said that the snow and ice of Russia were more brilliant than the snow and ice of other countries. Bentham suffered in the opinion of the minister by not calling on him after the entertainment. The fault was partly in his natural timidity, partly in his ignorance of the manners of the world, which his narrow, and as he always called it, his "miserable education," had left behind it. The same feelings prevented his delivering his introductions to Count Choiseul. The women who have been before referred to, added not a little to Bentham's embarrassment, and with good reason. He called them "strange cattle," and knew not how to get rid of the encumbrance.

At Sir Robert Ainslie's, there was living Sir R—— W——, who had made himself ridiculous and celebrated by exhibiting his wife naked. Who was the Gyges to this English Candaules, I do not recollect to have heard; but his lady played a part very different from that of the Lydian queen,—for she recompensed her husband by making him a cuckold instead of a corpse. Sir R—— had little to recommend him. He was, according to Bentham's notes—haughty, selfish, and mean. Another Englishman of the name of Cadogan, connected with a family of rank, was staying at the British Embassy. Bentham retained a long remembrance of a discourtesy, by which they excluded him from a party which crossed the Bosphorus, to visit the mosque of St Sophia, having obtained the necessary authority; but perhaps his acknowledged backwardness and taciturnity may have been the cause. Ainslie,

in conversation, was forcible and eloquent—though violent and pompous. He prided himself vastly on his dignity, and offended people by his braggadocio style. The Dutch ambassador being to be presented for the first time to the Sultan, Bentham was invited to accompany the diplomatic body to the palace, and he mounted on horseback with the rest, in a court dress, accoutred with bag and sword. One man only of all the cortège understood Turkish—a knowledge of the language of the court to which they are accredited, forming no part of diplomatic education, at least for English representatives, whose ignorance of the languages of the countries to which they are accredited is often as notorious as pernicious. In the hall of ceremony were many of the Turkish officers of state—among them was Hassan Pacha, who commanded the navy, and with whom Bentham's brother (Sir Samuel) had afterwards, while in the Russian service, a sharp warlike encounter. The company dined in the seraglio; but none, except the ambassadors, were admitted to the presence of the sultan. Round tables were set out for the guests—who were thus distributed in small parties, and one officer of dignity was attached to each. The dining place was spacious, somewhat like the old King's Bench, but larger. In the seraglio trees were growing here and there, and among them a beautiful mimosa. The dishes were in great variety, each one worse than the rest. They were piled one upon another like dumb waiters. A spoon was given to each person, and he fed himself from the common dish. The style was altogether barbarous. Bentham could hardly suppress a laugh, when he thought of the oddity of his own position, and this made him uneasy during the whole of the meal. The different officers attended, bearing bags of piastres, ostentatiously exhibiting their wealth; but had the bags been full of stones, said Bentham, we should have been never the wiser, for not one of them dreamed of exhibiting the contents to our view. Bentham got an indigestion as a recompense for his courtly curiosity; but a more civilized and congenial dinner provided

by the Dutch ambassador, set matters to rights. Bentham had brought with him two sliding pencils, which were then a new invention, and he gave one to a diplomatist at table. Afterwards, when on the banks of the Danube, the great man of one of the towns saw the other pencil, which "excited his concupiscence"—and he asked Bentham to give it him; but it was too precious to part with, and all the great man got was a great quantity of regrets. Bentham lived at Constantinople with a merchant of the name of Humphries, and stayed there between five or six weeks. Under the same roof were Henderson and the two women. On mentioning this matter, Bentham said, "God knows what stories they told of me; but Humphries began to look on me coldly. I presented him with a book, but he declined to accept it. I could not understand him then; but some years after, my brother told me he had never seen an example of a hatred so intense as these women bore me."

There was another family from which Bentham received abundant kindness; but as a sad history of shame and sorrow is connected with it, it will not be desirable to mention names. I was thrown some years ago into the company of a lady of the family, whose tale of distress I had heard from Bentham's lips, and received from her the following account of the impressions he had made upon her mind at Constantinople, which will serve to throw light upon this part of the narrative.

"I do not remember precisely how long Mr Bentham remained at Constantinople: I think certainly not more than two months. He was a very constant visiter at my father's house; but he resided, I think, with a Mr Humphries, an English resident merchant. There were no inns, or lodging-houses, in the city at that time. He was particularly fond of music, and used to take great delight in accompanying me on the violin. I well remember that he used to say, that I was the only female he had ever met with who could keep time in playing; and that music, without time, was to him unbearable. We went through together some pieces of Schobert, Schrocter,

Sterkel, Eichner, and of other composers who were then most in vogue—all of which he played at sight, and with ease. He seemed to take great pleasure in my society, though I certainly never received from him any particular mark of attention which might not have been equally shown to one of his own sex. Indeed, not the slightest idea of any particular partiality, on his part, ever came across my mind. He was then about thirty-seven years of age, but he did not look so old. I have also impressed on my memory, that I obtained his commendation for my preference of works in prose to those of poetry: the reading of which, he asserted to be a great misapplication of time. I imagine, that at that period he was seldom excited to bring forward, or discuss, any of those subjects to which he afterwards so wholly and so successfully devoted himself. Had any conversations of that nature taken place in my presence, all traces of the purport of them would most assuredly, even at this time, not have been obliterated from my memory.

"I cannot positively assert that he brought a letter of recommendation to my father; but I know that he performed the voyage (from Smyrna, at least) in company with a Mr Henderson, who presented himself to us with a letter from a Mr Lee, an English resident merchant at Smyrna, and a particular friend of my father's.

"Two young girls, under twenty years of age, accompanied this Mr Henderson, who was a very serious man, and very plausible in his manners. They were introduced as sisters, and his nieces. These ladies, however, were not mentioned in Mr Lee's letter—a circumstance not noticed at the time.

"The elder had, to a certain degree, the manners of a lady; but those of the younger—and her appearance coincided—were by no means superior to what might be expected from a poor farmer's daughter. Mr Bentham, as I have before said, was our constant visiter; and at our house he frequently met the Hendersons.

"It was not long before that period that the Turkish sultan, Abdul Hamid,

and his inefficient and short-sighted ministers, had been wheedled out of their possession of the Crimea by the 'finesse' and eloquence of the able Russian Minister at the Porte, Mons. de Bulgakow. The Empress Catherine, most eager to promote the successful colonization of her newly-acquired territory, had invited a horde of adventurers of all nations, but chiefly Italians, to transfer themselves thither. Among others, Henderson was also enlisted in this service. He had engaged, together with his nieces, to establish a dairy in the English style. It occurs to me now, for the first time, that he might have been brought forward on that occasion under the auspices of Mr Bentham's brother, who was then, I believe, in the Russian military service. But this is only conjecture. When I last saw Mr Bentham, however, he told me that the undertaking had turned out badly, and that Henderson had behaved very ill.

"When the time arrived for the departure of these people for the Crimea, the vessel in which they were to embark happened to lie at a considerable distance from the spot where they were dwelling, the suburb of Pera. It was determined they should transfer themselves to it by a short land journey, rather than by the more circuitous trip by sea, along the Bosphorus. A carriage was hired, (a most uncouth vehicle, but the only one which the city afforded.) In this they proceeded to the place of embarkation, escorted by my father and myself, with a servant on horseback.

"The wife of the owner of a trading vessel, who had formerly been in my father's service, had been living for some years under our roof, ostensibly, to supply towards me the care and attention of a mother.

"At the period of Mr Bentham's presence in Constantinople, the husband of this person, having returned from one of his voyages, was also our inmate.

"On the day of our absence with the Hendersons, Mr Bentham paid his usual visit at our house, and was received by this captain and Mrs Newman. In the course of conversation, Mr Bentham (who considered that the Hendersons

had now taken their final departure from Constantinople, and felt himself in consequence no longer bound to keep their secrets) divulged that the elder niece was no other than Henderson's mistress, and that the younger was an ignorant country girl, merely hired as a servant. Their surprise was naturally very great—much greater, I believe, than mine would have been; for I had already detected a want of concordance in what they separately told me, at different times, which I could not account for, but which I by no means liked.

"We did not return home till late in the evening. We were received at the door by the captain, who could not contain his laughter, and was in a hurry to attack my father about his extraordinary civility, and, as it now appeared, his ludicrous knight-errantry. My father felt ashamed at having been so easily taken in by these ignorant impostors; but he consoled himself with the idea that he had not been their only dupes, since Sir Robert Ainslie, our British ambassador, (following my father's example, I fear,) had formally invited them to a dinner party. Their awkwardness and want of ease, which they could not modify to this sudden emergency, were sufficiently manifest; but it was attributed to English timidity and bashfulness.

"But the 'nodo' of this comic drama is still to be developed. Poor Bentham had made his disclosures most prematurely—our friends were not gone—they had, in fact, returned with us,—some impediment had occurred with regard to the sailing of the vessel, which appeared likely to occasion a long delay; and we had to increase the captain's mirth by declaring that they were, even at that moment, again safely housed in their former lodging.

"The situation of these people during the remainder of their stay at Constantinople after this little *éclaircissement*, was, of course, a very mortifying one. My father had to endure his share also, in the laughter of Mr Humphries, and that of his other friends, who would not lose so fair an opportunity of amusing themselves at his expense. We did not see Mr Bentham till the following day,

when he seemed rather confounded by the unlucky *dénouement* of the affair.

"I have said that there were no lodging-houses at Constantinople, but I remember that the Hendersons were put in possession of an empty house, in which a few articles of furniture had been put, just sufficient to serve their immediate necessities."

Sir R.—W— had not initiated himself into Bentham's good graces at Constantinople. He was one of the last men whom he desired to meet. But Sir R. found his way to Crichoff when Bentham was there. A draughtsman, whom Sir R. had employed in Greece, had added considerably to Bentham's unfavourable opinion. That artist accused this baronet of ill-usage—that his commands were given in the style of a bashaw—in a word, that his dependants were in the situation of slaves in the presence of a despot; he even menaced them with the rod and the scourge. Bentham was living with his brother at his small country house, about a mile from Crichoff, when one day notice was brought that Sir R. had arrived, and wished to see him. The colonel was for receiving him—the philosopher was for excusing themselves. However, he was received, and staid a week or two with them. Sir R. travelled with a black Abyssinian boy; but he treated the poor boy with barbarous cruelty, and nobody could be more wretched than he was in his master's presence. Yet Sir R. called him his pet. On one of the tours, the Bentham's accompanied Sir R. to General Bander's in a drosky, and he made the boy sit at a little distance; but on arrival at any stage where they stopped, when Sir R. left them, they used to hear the boy crying out piteously "Signor Aga! Signor Aga!" The lad's shrieks and agonies often tormented Bentham. Sir R. was accustomed to boast of his influence with Mr Pitt, and his great expectations from that quarter. He published a book on the antiquities of the Isle of Wight. Strange was his manner of life. He went to Petersburg, where he lived some months with a painter, having the benefit of his canvass, and offered no remuneration.

When he was at Constantinople, he bid for some Circassian female slaves, but the price was too high.

The following letter to Lord Lansdowne is worth preserving:—

BENTHAM TO LORD LANSDOWNE.

"Constantinople,

"Friday, November 14, 1785.

"MY LORD,—Capt. Richard Brine of the *Mary Frances*—the ship which brought me from Italy to Smyrna—expects to be in London again by the latter end of March. He has promised me, if possible, which he thinks it will be, to take home for me a he, and two she goats of the Angora breed. Should they arrive safe, I hope Lady Lansdowne will do me the honour to accept of them, and that Bowood, in addition to its manifold luxuries, will in due time afford a stock of comfortable muffs, such as her ladyship, as I understand, has sometimes not disdained to wear. Should the breed prosper, I may perhaps, upon my return to England, become an humble suitor for a part of the progeny, in the view of trying how they may succeed in some northern part of Scotland, where their sequestered situation may the better secure them against admixture, and where the coldness of the climate gives the wool of the country a degree of fineness, which, according to my friend Dr Anderson, is superior to any produced in the southern parts of our island. I wish I could have had a better security than the promise above-mentioned for the arrival of those animals; but there were none to be procured, not even seen at Smyrna; they are to be had, if at all, only by the caravans, which travel but now and then, and take a fortnight's journey to go from Angora to that part.

"Smyrna affords two sorts of grapes, the one of the raisin, the other of the currant size, which from a property which is common to them, and to the maiden *berberines* we have in England, have received a similar denomination. I have heard them called by Christians, virgin raisins; virgin currants, by Jews; eunuck currants, eunuchs. If neither appellation should be deemed so con-

formable as might be wished to the laws of delicacy, the blame must be at the door of the first authors. I can hear of no other epithet to distinguish them by. As the ideal imperfection to which they owe their name is generally looked upon as no small perfection with reference to the use we put them to, I have taken measures for sending to England a few plants of each sort, in hopes of your Lordship's doing me the honour to give them a place at Wycombe or Bowood, leaving it to your Lordship's ingenuity to rebaptize them in such manner as may be deemed most proper before they are introduced to the notice of the ladies; and that the learned at your Lordship's table may be the better enabled to pronounce whether they are worth a place in either garden, I have taken the liberty of addressing to your Lordship, by Captain Brine above-mentioned, a small specimen of each contained in two *drums*, as they are called, which have been filled under my own inspection, and marked by me V. R. L., the other V. C. L.: each drum contained, as near as could be contrived, 1-4th of a quintal, Turkish, equal to $30\frac{1}{2}$ lbs., English. I should not have thought of troubling your Lordship with such trash, but that I was told at Smyrna that they never found their way to England but in the shape of presents; the stock not being abundant enough to send to market.

"I landed at this port on Monday last, the 21st instant; I found the ambassador full of friendship and politeness, as might be expected from the letter I was honoured with. He would have insisted on my quartering myself in the palace, had not the spare room in it been completely preoccupied by Sir R——W——, his draughtsman Mr Revely, and the Hon. Mr Cadogan. The two former come from Egypt: the latter is going thither; and for the purpose of the expedition, is nourishing a pair of whiskers, which, respectable as they are in an Asiatic point of view, form an odd mixture with a garb in other respects completely English.

"What with the remonstrances of friends, the want of pilots, and the in-

conveniences or rather dangers of quarantine, the fruits of Russian management, I believe I shall be obliged to finish my tour by land: the return of a Moldavian princess, sister to the reigning prince, promises safety as far as Jassi, and perhaps society. Before I set out on the expedition, if ever I should set out, I shall not fail to turn to a book of instructions given me by a certain noble friend, with as much devotion as Peter, Jack, and Martin did to theirs. Therein shall I find *totidem literis*, if not *totidem syllabis*,—"cut the coat according to thy cloth," and, moreover, in the words of the seer, 'metiri se quemque suo modulo et pede.' In the meantime, to cut off all occasion of scandal, I think it meet to declare and to protest that the princess, being of fit age and experience to make a prudent choice, hath for some time past committed the charge of her household affairs unto a man, by nation a Greek, of goodly stature, and of a ruddy countenance; and, moreover, that with my knowledge and acquiescence, a certain young English surgeon is soliciting to be intrusted during the course of her journey with the care of the health of her Moldavian Highness."

Bentham saw the sultan visit the mosque. He was on horseback, as were all his attendants, splendidly dressed, and the horses caparisoned with cloth of gold. He also met at the British ambassador's, a brother of the Bey of Tunis, who had been in Europe, and strove to imitate our manners,—he sat upon a chair, and it was curious to see how he spread out his legs.

Bentham started from Constantinople by land. In passing through Bulgaria, where manure is precious, he observed they had collected a quantity of dung at the top of a hill, and it was washed away from time to time by the rain,—“This indeed,” exclaimed he, “is barbarism!” but coming back to England, he saw a repetition of the same ill-husbandry; but then his exclamation was, “Let us not be censorious!”

The churches of Bulgaria were ornamented with figures like those in Potter's Antiquities,—no perspective,—and

exhibiting the state of the arts as in Henry the Sixth's time in England. They reminded Bentham of a picture of London Bridge, in which the man on horseback is twice as tall as the house by which he is passing, and the horse is walking on nothing at all.

Bentham's servant would make a great noise in entering the villages,—smacking his whip, and insisting on lodgings,—sometimes in vain,—and when his master gave a few paras to the poor, the Janissary would grow furiously angry, but calmed himself by saying it was his own “danga,” (money.) At Bergas, about forty miles from Constantinople, was a manufacture of coarse earthen ware,—turned at the potter's wheel,—painted red and ornamented with gold-leaf. Bentham endeavoured to get access to it, but was not able to make himself understood.

Bentham's servant was very useful as an interpreter,—especially when sober,—but he often got drunk, and was then quarrelsome and abusive. He had been servant to that German-Russian who was on board the vessel in which Bentham went to Smyrna. Bentham and he met at Bucharest, and they went together to the house of an opulent Russian who lived on the roadside. In a corner of the room was a costly screen with fine pictures of the Russian saint,—one might almost say the Russian god, Nicholas,—when Bentham approached the screen, his friend said to him, “No! do not look *hard* at it,—you will give offence to the master of the house.”

The best maps at this time were very imperfect, and large towns were not noticed in them at all: for instance, Ruszig (Rustchuk on the Danube) which had nearly forty mosques. There were many detentions for want of horses, and stoppages from the badness of the roads. In travelling through Bulgaria, there is a striking distinction between the towns of the aborigines and those built by the Turks—the latter being generally gloomy dwellings of bricks, with holes, into which pieces of glass are put. Sprinkled among the Turks are a few Greek inhabitants. The Bulgarian houses are of mud, every house insulated,

and having a sort of veranda or corridor projecting, under which you may walk: they have neat and very small windows covered with pieces of skin. The houses have cotton hangings, and generally a loom, in which a cloth inconceivably coarse is woven, used for their ordinary clothing. Many of the abodes have no chimney, but a hole in the roof.

At Bucharest, Bentham met with a Greek who was as much enamoured as himself with Helvetius. Bucharest has many leaning towers; *one* has given celebrity to Pisa. Bentham was wont to remark on the caprices of human judgment, of which this was an example; for Bucharest had many titles to the celebrity that Pisa has obtained,—yet has not obtained it. There are few towns which have such a number of churches in so small a space.

Jassy was a scene of new trouble. Bentham, to oblige a friend, had offered to convey a quantity of red caps, that were to be forwarded to the Crimea. They were seized by the officers, and he had to pay a large sum of money for their release.

Between Constantinople and the Danube, Bentham lost 200 ducats. Whether they were stolen or not, he never knew; but the loss reduced him to great perplexity. When they reached the Danube, Bentham offered ten ducats to the janissary who had conducted him from Constantinople. He was naturally dissatisfied; but Bentham could afford no more,—and was tormented with the thought that his resources would wholly fail him before he could obtain any fresh supply.

Then, as now, in Poland, except in large towns, there were no inns but those kept by the Jews,—all alike, large, lofty, and dirty,—a vast waste of space, and a great deal of the room occupied by cattle. The Jews were clad in long gowns,—a costume they continue to wear. Bentham, who carried his bedding with him, was used, whenever he was able, to get a heap of straw into a corner, and there to spread his bed, removed from the annoyance of the filthy floor. He hired horses from town to town,—sometimes four, sometimes six, but always from the

Jews, to drag the wagon. At Soroka was a Prussian lieutenant, in command of the place, with whom Bentham conversed in Latin. The custom-house officer invited him to a repast. It consisted of brown bread, stewed prunes, and a strange dish, which turned out to be made of onion seeds. Bentham was alarmed by the man's curiosity to examine his cloth-bag, in which was all his finery, and a precious pair of fur gloves. The Prussian asked what had become of the servants, seeing only one. Bentham said he had no more; and the lieutenant said to the servant, he supposed his master was a stage-player. A handsome set of six horses conducted Bentham from Soroka. They were the commandant's, who did not object to "turn a penny" by the supposed "stage-player."

Bentham said one day, in reference to this journey, "I'll make you a confession how I turned thief. When my servant left me, I arose to look over his things. Among them I found a shirt, which he had stolen from a man who had borrowed money from me, and never returned it; so I appropriated the shirt to myself."

On this journey he said, "His wheels sometimes carried his sledge, and his sledge at others his wheels."

Bentham reached Ovidiopol in the middle of January. There he performed his quarantine. To his great surprise, the medical attendant refused a ducat which was offered him, saying, he was sufficiently paid by his imperial mistress, and carried on his discourse in Latin. Bentham feared that the refusal of the money was a bad omen, and that he was to be subjected to some despotic caprice. The medical assistant was delighted to get a portion of the present that his master had refused; and after a short purification, the prisoner was released, and three horses obtained to convey him to Kremenschuk.

Bentham arrived at Kremenschuk on the 15th January, 1786. It was night when he reached, and he was obliged to cross the river on foot.

He dined there with the governor. There were silver covers and bottle-

holders, plates of Wedgewood ware; but the knives and forks were iron,—very dirty, and not changed with the dishes,—bright lustres of Russian glass,—eight or ten coloured candles on the table, in brass candlesticks,—red sweet wine from the Don,—dry from Cyprus,—Sauterne, Mountain and Muscadine; Burton ale was also introduced. All the gentlemen in boots, though many ladies were of the party; but they wore warm ruffles. Between dinner and supper, the church quire sang anthems, also songs of the Ukraine, and some Russian songs in parts. Some of the guests, particularly the military, came from considerable distances. The evening was spent in card-playing; and people whose salaries were not more than 600 rubles a-year, lost 800 rubles in a day. Everybody played high. The accounts were kept with chalk upon the green-baized card-table, with a hard brush at hand to rub them out.

Among the guests was Potemkin's physician, who said, that for two years he had not received a farthing, of salary or other remuneration. He had been ordered about from place to place,—was sent to Dobrovna,—then to Crichoff,—then ordered to the Crimea, but this order countermanded,—then to Kremenschuk.

The gambling between the wealthy nobility Bentham represents to be frightful. Orlov, Potemkin, and others, used to play by day-light at ombre for 100 rubles a fish. One of the winners told Bentham that he had carried off from one sitting between 120 and 130,000 silver rubles, (£20,000.)

The state of the Russian army was then extraordinary. One of the colonels commanded 6 companies each of 136 privates, making 816 men; but with officers and myrmidons, they amounted to 1100. Among them they had 86 horses, the average cost of which was 1800 rubles. They had marched 300 versts without a farthing in the military chest. The colonel thought such marches very beneficial for training. One of the sources of profit was the meal allowed to the troops, which they did not think it worth while to take, but gave receipts to the officers notwithstanding. The

colonel had been punishing a robber, suspected of murder, who was to be put to death by the gauntlet; and though they supposed they had killed him, he survived notwithstanding. He had been transferred for his death-punishment to the colonel. This man had previously been made a clerk by superior orders, and was employed by the colonel, with a clog fastened to his leg. Before he recovered, he stole a piece of money—was detected, and, being unable to run, was taken. So much for appropriate punishment!

When officers are put under arrest, their allowance is only bread and water. The colonel said, that money was made out of non-effective horses, and short allowances to men.

Of another dinner party with Prince Potemkin's steward, are these memoranda:—

“Good Sherry wine, Russian beer in small square Hungarian bottles, light sparkling pleasant mead. Just before dinner, in a separate room, cold sausage, caviar with oil and vinegar, herrings with chopped onions. Then for dinner, bouilli, soups of two sorts. Pie with game, spiced meat, heath-cocks, Turkey-Russian pancakes, pickled mushrooms, to eat with turkey. Just before parting, dessert of apples, nuts, and raisins. Then retired the guests, that the host might have his feet tickled to sleep.”

“Another day, with Count Razumovsky: goose soup with bread-meat balls, roast-beef goose-pie, beef-steaks stewed, goose salted and boiled, omelettes prepared by the host. Extempore diet, bread excellent, Burton ale, claret, sweet wine from Cyprus, Hungarian wine remarkably delicate, Judac wine ten or eleven years old, sparkling like champagne, but better.”

“The soldiers have a considerable fund. They choose their own steward, they keep their resources in gold, that they may pass in any country, notwithstanding the agio. The money is under two locks—one the steward's, the other the officer's. This fund is responsible for each member, that he shall have his compliment of clothing, &c. What a member gets by labour goes to the fund.

An officer may strike a soldier, but he must register the cause. Officers plead the necessity of the power, on the ground of their responsibility. When a soldier is in good humour, he calls his officer *Batiushka*, (Father,) otherwise by the name of his rank; *Batiushka*, and *Matushka*, (Mother,) are given to equals and superiors, even to Excellencies.

“There are three Russian merchants of the first class for wealth: Sabaxin, Wolodomirow, and another. The Demidovs are of the second class. Sabaxin, dying some time ago, left to seven sons, and the son of an eighth son, 1,800,000 rubles, in money, each (then about £300,000) besides fixed capital. Wolodimir has or had 400,000 rubles a-year.

“My host (Sitov) has only twenty servants, drives but a pair—*qui déroge*. His chariot cost 200 rubles, including conveyance hither from Moscow, being 30 rubles. He was of age at twenty, and spent his fortune of 200,000 rubles before he was twenty-three. Having had a bad mother-in-law, he forbears second marriage. At his estate, 250 versts off, on the Dnieper, he has a travelling carriage, that lets down behind and in front when he sleeps, it serving for a bed. Three hundred such, he says, are to be bought at Moscow.

“While I was at Kremenschuk, a soldier was accused by his wife of having seduced their daughter. The General sent him to be judged by the bishop.”

To his brother, Bentham was strongly attached. “General Bentham was,” said he, “of an inventive genius, full of schemes of mechanical improvement. One of his projects was to create an unchangeable temperature for time-pieces. My brother's letters were subjects of great delight to me. He left Westminster school before he got to the highest forms; but he had got so far as to make Greek verses. He made Greek verses in Spring, and Latin verses in the Autumn.

“When he left England in 1774, he had no less than eighty-six letters of introduction. For three weeks previously, he lay on the floor to accommodate himself to that mode of life.

“On returning from his journey to

Kiaktha, he made sundry suggestions to the empress, which were well received, but his plans were defeated by one of the governors, who said she was putting too much confidence in a young stranger.

“He contrived a scheme for baggage-wagons to pass through rivers without the use of pontoons. I proposed it to Sir F. Baring, who had a very narrow mind, and who did not think it worth his notice, because, he said, he did not see how it would benefit my brother.

“He travelled with Prince Potemkin from Petersburg, into the Crimea, and was in the same carriage with him for six weeks. He would sometimes be for three weeks together playing at cards,—so that if any business was done, it was when the cards were dealing.”

Bentham lived a very secluded life during his visit to his brother, occupied principally in his literary studies. The name of the estate where his brother was settled, is Zadobras, near Crichoff, (sometimes written Kriezew, and sometimes Tcherigov,) a small town to the south of Mstislav, in the province of Moghilev. Crichoff is situated on the right bank of the river Don, which runs into the Dnieper at Loev. Zadobras is situated on an elevation rather precipitous, of sixty or eighty feet, the river running at the bottom. The establishment, at whose head was Sir Samuel, then Colonel Bentham, was created under Potemkin's auspices, for the introduction of various manufactures into that part of Russia. They had imported a master tanner, a master currier, a gardener, and divers other mechanics and artisans. Near Crichoff, was a lake whose waters were employed, and in the lake a floating island, on which were fine willows and large trees, which was sometimes at one end of the lake, and sometimes at the other. It was sometimes so near that it could be jumped on from the mainland. Zadobras had been a sort of infirmary. On occasions, all the mechanics were called away from their labours to make hay, which was sold to the governor at a fixed price. There was a sort of military command given to Sir Samuel, but his rule was disturbed by no small confusion, if not anarchy;

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and Bentham himself, who frequently did not visit the town for weeks together, was not wholly free from the consequences of misunderstanding and mismanagement. Dr Debraw, who had charge of the English workmen, sent to Bentham a most deplorable account of their proceedings. It seems to have been a scene of perfect bewilderment. He sends a “Journal of Transactions,” in which laziness, thievery, quarrelling, drinking—“large demands for doing nothing”—“all outgoings”—“no incomings,” form pretty nearly the whole record. Only one man of all the people imported from England, is represented as trustworthy, and against him the rest confederated. The poor Doctor writes as if he were driven to craziness by the rebellion of his subordinates—whom he calls a “Newcastle election mob”—“hirelings from that rabble town.” On one occasion the military were sent for to enforce subordination. The result of all this was what will be easily imagined. Much money was lost,—and much discontent existed; and the place was afterwards sold by Potemkin to a Pole. A piano, and a few books, among which was the *Dictionnaire de Jurisprudence*, were Bentham's principal external sources of intellectual amusement.

Once, during his residence at Crichoff, a German endeavoured to extort money from Bentham by holding a pistol at his head. The money was indeed owed by his brother, but it was demanded of him on whom there was no claim whatever. The Crichoff experiment has been characterized above as a very absurd attempt to domesticate in a barbarous part of Russia all sorts of civilisation. It was a hobby of Potemkin's, and cost him many thousand pounds. Zadobras had a momentary fame,—it was prettily situated,—but has fallen into ruin. It was one of two of Potemkin's civilisation experiments: one under Colonel Bentham, who had abundance of invention, cleverness and genius; another under Stahl, a German. Genius and economy, Bentham often said, are always quarrelling,—their thoughts run in separate channels. At Zadobras there was the strangest collection,—an English gar-

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dener, a Welsh majordomo, a Quaker tanner, a German quack doctor, to say nothing of a host of subordinates who took to quarrelling and plaguing everybody about and above them. From such scenes and such actors it is not wonderful that Bentham was most anxious to escape.

Many were the altercations which took place at Crichoff, and the confusion of tongues only made the quarrels the fiercer. Bentham had paid some attention to the Russian language,—enough to make his wants known, but not enough to understand what was said to him,—and he did not fall into the common folly of asserting that he understood more than he could speak,—a declaration which self-love and ignorance are prone enough to make.

"I know just as much of Russ," said he, "as I know of the language of cats,—I could speak their language, and obtain an answer, but the answer I never understood."

Of the reigning empress, Bentham said,—"Catherine the Second had celebrity; nor that altogether undeserved. In a feminine body she had a masculine mind. She laid the foundation of a code,—an all-comprehensive code."

A letter from Chamberlain Clark, of 31st August, 1786, has this passage:—

CHAMBERLAIN CLARK TO BENTHAM.

"A great event has happened in the family of Q. S. P. [Queen Square Place.] Mr Abbot is married to a lady with a fortune (as I hear) of £60,000. I never heard a syllable of the business from either Mr or Mrs B., and the newspaper is the only channel through which I am informed of the marriage. I hardly know what public events to relate to you, as I conclude you receive some English newspapers. The sale of the Prince of Wales's stud has made a great noise; but as his debts are put into a course of payment, I hope they, as well as the nation's, will be honourably discharged. It has been long apprehended the King of Prussia's death would occasion great commotions in Europe: that event has happened, and now things seem to go on as quietly

as ever. The emperor's brother has just arrived—but whether on business or pleasure is to me a profound secret. What do you intend to do with the Turks? Since the doctrine of Mahommed has been so heartily drubbed into your head and shoulders, I suspect you have some predilection for the circumcised. I have no wish to see Constantinople added to your empire, which, I think, is as large as can be well managed by one sovereign; but I wish a respectable kingdom could be carved out of the Ottoman dominions; and I should not have the least objection to placing the Princess of Moldavia, and the gentleman who accompanied her highness from Constantinople, at the head of it. The Board of Trade is going to be revived, and Lord Hawkesbury (late C. Jenkinson) is to be at the head of it. The members of the board are not to receive a salary, as such, but will possess sinecure places which can't be well abolished. His lordship, for example, is made Chancellor of the Duchy of Lancaster. You may recollect that I have been remarkable for a number of road adventures. A few days ago, as Harry Russell and myself were going in a post-chaise to make a visit below Dorking, we were overtaken on the Epsom road about twelve miles from town, between one and two in the afternoon, by two gentlemen on horseback, who eased us of some cash and our watches. Mr Russell's, unfortunately, was of gold, with a chain and seals of the same metal. I shall be glad to know where you are, and what you are about. Let me know the value of land in your neighbourhood, and whether there is any pretty snug farm, well wooded and watered, with a pretty snug house upon it, which you could recommend as a country retreat from the noise and bustle of London. I am informed that government has just determined to send off seven hundred convicts to New [South] Wales, under convoy of a man-of-war, where a fort is to be built, and a colony established, and that a man has been found who will take upon him the command of this rabble. Major Semple is to be of the party,—a gentleman who has

given proofs of his dexterity to the Marquis of Lansdowne, also downwards to ladies' maids and hackney coachmen. These wretches are to be furnished with a twelvemonths' provision, seeds, &c., and then must shift for themselves. I forgot to take notice of an event which, for a few days, alarmed the country,—an insane woman offered to present a petition to the king, and, at the same instant, made a blow at him with a knife; she was instantly secured, and, after several examinations before the council, was sent to our hospital of Bethlem where she is like to spend the remainder of her days. She told me nothing could prevent a deluge in the kingdom, but restoring the blood; and that the only way to bring that about, was for the Prince of Wales to make her a mother."

A letter from George Wilson, of 24th September, 1786, has some interesting passages with reference to books and politics:—

GEORGE WILSON TO BENTHAM.

"I could give very good reasons for not having sooner answered your letter from Crichoff of 29th May, or 9th June; but it would take some time to state them. As to our silence before that, you will recollect that we had reason to suppose that you desired to hear from neither of us, and that it was, in a manner, settled, before you set out, that we were not to correspond, because you found yourself involved in too many engagements of that sort already. Your letter from Leghorn we did not consider as any departure from this plan; but only as an infliction of your revenge on Trail, for his and his cousin's calumnies against the Grand Duke. I say this by way of justification, and by no means with any spleen; for, I do assure you, I have felt great yearnings towards you since you left this country, and vehement longings for your return. If I had the advantage of a title, I should, no doubt, have found it easy, as Lord L. has done, to see your letters to Q. S. P. on my own terms. Trail received, on going to town last Friday, a scrap of paper from you, desiring an account of the new taxes; and before he returns,

will do what he can to supply you. I am not sure that any supplement to Burn will come down low enough; but you will at least have a little table of taxes, published by Kearsley. Trail had before sent you by Mr King, The Debate on the Sinking Fund, and Report of the Committee, Baring's Principle of the Commutation Act, Plan for settling the Black Poor near Sierra Leone, by Smeathman, who is since dead, and, I suppose, the plan with him; Character of Lord Sackville, by Cumberland, Correspondence between Lord Macartney and General Stewart, Burke's Charges, and Hastings' Defence, and Maty's Reviews, down to August, inclusive. Newspapers we cannot send you; because they go to Scotland, to my sister, who, by the by, is very well, and has a son nine months old. While you are making *Fermes Ornées* in a country which is not to be found in our maps, other people here are invading your province of a reformer. There is a Mr Paley, a parson and archdeacon of Carlisle, who has written a book called *Principles of Moral and Political Philosophy*, in quarto, and it has gone through two editions, with prodigious applause. It is founded entirely on utility, or, as he chooses to call it, the will of God, as declared by expediency, to which he adds, as a supplement, the revealed will of God. But notwithstanding this, and some weak places, particularly as to oaths and subscriptions, where he is hampered by his profession and his past conduct, it is a capital book, and by much the best that has been written on the subject in this country. Almost everything he says about morals, government, and our own constitution, is sound, practical, and free from commonplace. He has got many of your notions about punishment, which I always thought the most important of your discoveries; and I could almost suspect, if it were possible, that he had read your introduction;* and I very much fear, that, if you ever do publish on these subjects, you may be charged with

* See farther allusion to this subject in a letter from Wilson, of 30th November, 1788.

stealing from him what you have honestly invented with the sweat of your own brow. But, for all that, I wish you would come and try; for I am still persuaded, my dear Bentham, that you have, for some years, been throwing away your time; and that the way in which you are most likely to benefit the world and yourself is, by establishing, in the first place, a great literary reputation in your own language, and in this country, which you despise. But all this had been said often enough already, and it is needless to tire you with it any more. Paley's book is written in a clear, manly, simple style, and he reasons with great accuracy. I meant to have copied and sent you an inquiry of his into the guilt of a drunken man who kills another, and the quantum of punishment that ought to be applied to him, which is as exhaustive and correct as if you had done it yourself, and, if I may say it without offence, less formal and prolix. But I have forgot it, and have not now the book by me. He has added, unnecessarily, a treatise on political economy, which he does not understand. You will see by the papers that there is a large subscription to erect a statue to your friend Howard, who is now making a tour of the Lazarettos for the plague in the Levant. Jonas Hanway, another of your fellow-labourers, but at some distance, is dead. Government are going at last to send the convicts to Botany Bay in New Holland; the Hulks being found, by sad experience, to be academies for housebreaking, and solitary confinement to any extent, impracticable from the expense of building. These colonists are not to be turned loose there; but are to have a government established over them, and some troops left; notwithstanding which, I much fear it will end in the ruin of the Friendly and Society Islands, which they will undoubtedly attempt to reach if they can either get or build ships; unless, indeed, the colony should expire, which is not unlikely, as, to 600 men there are but 70 women, and those probably not the most fertile. Will you have a few convicts for the Crimea? We have been reading here Cook's last

voyage, and are very desirous to know what is become of our good friend Major Behm, and whether our court ever interested itself to procure him any preferment. Tell us also, how far we may rely on De Tott's account of the Turks. Eden went to Paris by no other revolution than that of his own principles, which came about more suddenly and with less pretext than any in this reign. He is to be a vice-treasurer of Ireland in the room of Lord Walsingham, who goes to Spain. It is universally believed that the French Commercial Treaty is settled; but the articles are not known: probably they will make some noise, as they cannot but touch some of our dearest prejudices. There is also an agreement about the mutual recovery of debts in France and England. It seems their courts have not been open to us, as ours are to them. Sir Gilbert Elliot is, I hope, by this time chosen for Berwick. The election was to be last Wednesday, and he was pretty safe. Douglas is well, and increasing in fame and wealth. Trail has left Ainge, and is now a complete and accomplished draughtsman, waiting for instructions. I am going on, or rather, standing still as before; for though I shall get rather more this year than the last, it is owing to accidents, and not to any regular or permanent business. There are great changes in the King's Bench this year. Davenport is dead,—Tom Cowper dying,—Jack Lee paralytic, and John Wilson a judge by the death of Nares. By each of these events I get a step, as the soldier did when the general was killed. Bower is to have a silk gown;—so probably will Law, and Chambré, if he pleases. Erskine is at the head of the K.'s Bench decidedly, and Mingay almost before Bearcroft. Thurlow has been at death's door, and is not well yet. Lord Mansfield still Chief-Justice, but unable to do the business. Thompson is Accomptant-general by the death of Anguish. All this you don't care about; but I have no news but law news."

Bentham announced the sending "Panopticon"—his great plan for a national penitentiary—to George Wilson in this letter, which answers that which precedes:—

BENTHAM TO GEORGE WILSON.

"Crichoff, December 19-30, 1786.

"MY DEAR WILSON.—Great comfort to get a letter from you at last; but some chagrin to find I have been destroying the better part of my life, as you pretend to do your vacations. I had ordered horses for England, to take triumphant possession of the throne of Legislation, but finding it full of Mr Paley, I ordered them back into the stable. Since then, I have been tormenting myself to no purpose, to find out some blind alley in the career of fame, which Mr Paley's magnanimity may have disdained. After all, I have been obliged to go a-begging to my brother, and borrow an idea of his, which I have dressed up with a little tinsel of my own, and now send to London as a private venture *Parve, nec invidéo sine me liber ibis in urbem*.

"I think the effect of your good advice to me, is—commonly much snarling and growling at first, and obedience at the last. You and Trail passed sentence on my Introduction to a Penal Code, *alias* Principles of Legislation, *alias* I don't know what besides, and there's an end of it. I think you have told me more than once, that if it were possible for my scrawl to be tolerable in any shape, it would be in that of letters. I have accordingly given that form to my twopenny-halfpenny pamphlet, consisting, I suppose, from 150 to 200 pages. The hero celebrated is our Sam: for the hero to be addressed, I have taken Q. S. P. [his father] as Boileau took his gardener. The origin of this choice was, that when I first sat down, I meant nothing more than a private, or, if you please, a semi-public letter, to be shown by him to anybody that would condescend to look at it: more especially his worshipful brethren, the Middlesex Justices, to whom it more particularly belonged, as you will see. As it grew upon me, your *dictum* confirmed me in my choice. Being a sort of Flying Castle, or, to speak more to the times, an air-balloon, it sweeps over all sorts of ground. Amongst the rest, it passes over the ruins of the poor old Peniten-

tiary house. There I have occasion, or, perhaps you will say, no occasion, to fling a stone or two once more at Goliath Eden. This you will be sorry for, as before, for the same reason that David's brethren were for David. On the other hand, if you happen to think any of them give him a twinge, you will be glad, because Goliath is a Philistine. There are great bets here which carries it—private friendship or party spleen: to be sure, what we should be glad to see, were it possible, is that they might shake hands and divide stakes. Now for a little job for you and [or] Trail, which I have taken care to leave you both at the most perfect liberty to take in hand, or let alone as you have a mind. I have not here the Penitentiary House Act which passed; nor anything belonging to that affair, but my own view of the first Labour Bill. Consequently, I have been forced to proceed altogether upon the ground of the said View, whence divers undesigned misrepresentations may have arisen. What I want, is some charitable hand to take the Penitentiary Act, and, by a few notes at the bottom of the page, correct such misrepresentation for the benefit of the unlearned reader. These notes might be prefaced and accounted for by some such advertisement as this:—'At the request of several of the Author's friends, one of them has added a few notes for the purpose of correcting some undesigned misrepresentations of the danger of which he was aware, but which the distance of his situation rendered unavoidable.' You may then disavow in what terms you please all combination and confederacy, &c. Treat me as cavalierly as you please, for which this shall be your sufficient warrant. If, in any shape, I have done said Goliath, or whom ever else it may concern, any injustice in point of fact or argument, redress the wrong, adding or not adding, that it was at my desire. If you and Trail want leisure, or resolution, turn the business over to anybody else that may vouchsafe to meddle with it. I avoid sending it to you, that if such should be your pleasure, you may avoid dirtying your fingers with it altogether. I send it to

King, at the Coffee-house, with instructions to him to give you notice of its arrival, and make legal tender of it to you, or either of you, that you may do about it as you please. If, like old surly Northington, you please nothing, he will put it into Hughes' hands to print, and, I believe, into Payne's to publish. It remains for the learned to determine whether it were best in 8vo form—for the faint chance of being bound up by a few people with the poor View of the Hard Labour Bill; or in 12mo, in which case it might make a bindable book of itself. Two or more architectural drawings will accompany it; but as they are mere outlines, anybody may execute them, and the expense can be but a trifle. Perhaps the publisher will manage that. Alderman Clark had once a protégé in that line of the name or Sharp. If he is not dearer than other folks, which Payne, I suppose, could tell, if it were worth asking, which it hardly can be, this Sharp might as well be employed as anybody else. . . . If out of compliment to Q. S. P., the Justices should be for having it published, and signify their desire in proper form, I suppose there can be no harm in the printing of their order containing such desire. . . .

Whether you take any part or no in the publication, tell me in due time, in perfect sincerity, what you think of it, as well of Sam's architectural idea as of the puffing and the collateral matter of all sorts which I have added to it; tell me also, as far as you can collect, what other people say of it, if they say anything. Perhaps, to give the thing two chances of arrival, I may take measures for the two copies being sent from Riga at a post or two's distance.

"A possibility upon a possibility, is that we may pay England a visit in the course of the summer in a vessel of Sam's invention, manned by a part of his battalion. If so, it will be from Cherson, or a port in the Crim; and perhaps we may make a point of pushing for England without touching anywhere in the passage. In that case we want to know whether, plague or no plague in the Levant, we should be obliged to

perform quarantine. You could tell us by looking into the acts, or otherwise. There is no knowing beforehand, whether it will bear the sea or no; but a small trial will soon show. Perhaps though it did not at first, it may at last. At any rate, it can scarce fail to be of use for inland navigation. We shall know, as soon as rivers are open, what it is worth; and if it answers expectation, we shall have to take out a patent for it in England, and I shall have a puffing pamphlet to write to show the advantages it has above all other vessels imagined or imaginable, from which it differs as much as a house upon the inspection principle (my string of letters will tell you what that means) does from common houses. If it ever reaches England by sea, it will be scarcely less of a raree-show than the air-balloons. If it bear the sea, and the event demonstrates the received theories to be just, it should go near to supersede all other sorts of vessels, and it would have the strangest consequences with regard to trade and politics. It has already been tried, and answered as far as it has been tried: doing in its infant state what no other vessel could have done. But a regular course of experiments, whereby alone can be taken the exact measure of its utility, in comparison with others, cannot be made till the rivers are open again: in the meantime, the great improvement has been hit on to which he trusts for its bearing the sea. In the meantime, he has *carte blanche* for maturing the experiment; and very busy a-building we are. It is very foolish for me to run on in this manner: but it would have cost me more pains to stop than it was worth being at. At any rate, I have given one—yes, two answers, amongst more that might be given to the question, what Sam is doing? Other inventions he has of the mechanical kind, some finished, some finishing, which, if he comes to England, may perhaps form part of his cargo.

"You have received, I hope, a paper, which frightened, I suppose, the man that gave it you. I hope you quieted his fears. After one passage of it, the writer ought not by good rights to have

sent it you, as he writes me word ; but he tells me he had just received a kind letter from you, which made him sell his soul to the devil in hopes of pleasing you.

"Q. S. P. is so jealous of you that I have no hopes of getting you a sight of my letters by scolding him for his backwardness with regard to you. But as Alderman Clark makes similar complaints, I shall beg of him to lend them to the alderman, and write the alderman to lend them to you. I give Q. S. P. the power to prevent the publication altogether, or to add anything to it which he may choose to add, either in his own name, or in that of the editor; as likewise to strike out anything, either whole passages, or words, supplying the place with stars, or saying the manuscript was illegible in that part.

"Of the accuracy of De Tott's account, I can tell you nothing certain. Some said that it was true, others that it was a lie, or exaggeration. I had no opportunity of cross-examining people. The diplomatic people and the Franks live very much among themselves, and have very little opportunity of knowing what is going forward among the Turks on the other side of the harbour. The account I could give you of the authenticity and verity of Habins' publication would be about equally satisfactory.

"Major J—— does not deserve the honour of your inquiries. He got at the time at least ten times the value of what he gave, and which he took care to set down to the public account. In the first part of his journey home, for instance, at Iskutsh, (where Sam heard of him, and drank some of the rum he had left there in presents,) he could not find terms to express his sense of the astonishing generosity of the English. As he advanced nearer Petersburg, his note lowered, till at last he came to complain of neglect and ingratitude. Sam, firing at this, sent him a message, recommending it to him to change his note back again, if he had not a mind to find himself contradicted to his face. Sam wrote particulars to Sir J—— H—— at the time ; but his recollection of the matter is now very imperfect. Besides swords

and watches, and other things, of which the value was known to the donors, he received those valuable sea beaver or otter skins, of which the value was not then so fully known, to the amount, as Sam thinks, of some hundreds ; at any rate enough to make an ample fortune to him. Sam thinks he got, besides a gold snuff-box from Sir J. H., besides a magnificent piece of plate, with an inscription, which the Admiralty sent him, and which he offered to sell to Prince Potemkin, at whose house Sam saw it,—Sam thinks he got 600 of those skins ; but does not pretend to any sort of certainty, except with regard to the general result.

"To speak seriously of Parson Paley, I should not have expected so much of him, from the account given of a part of the work in one of the nine reviews of Maty's, which I received by Trail's grace. People were surprised to see how green my eyes were for some time after I received your letter ; but their natural jetty lustre is now pretty well returned.

"You have no need to breed mischief in my family by pretending affection to Sam. He never rebels against my authority, but he takes credit for your alliance. He has cut out some of the best passages in my pamphlet, on pretence that you would have done so if you had been here. Hang it, I shouldn't care if you were, for you could not be a greater plague to me than you are now at fifteen hundred miles distant.

"Sir R. W. has a notion that Pitt means to reduce the rate of interest from five to four. Tell me what you hear about it ; were it true I should like to give him a piece of my mind first. I have arguments against it *ready cut* and *dry*: the former epithet you may have some doubt about ; the latter you will not dispute. You know it is an old maxim of mine, that interest, as love and religion, and so many other pretty things, should be free.

"Code was going on at a very pretty jog-trot, till Sam's inspection-house came upon the carpet, not to mention his new model of ship-building, and his other whimsies. Fighting Sam and you

together is bad enough, but correcting three copies taken by ignorant people is intolerable. In a few days I hope to return again to duty. The day has abundance more hours in it at Crichoff (or rather at our cottage three miles off, where I now live altogether) than anywhere in England. I rise a little before the sun; get breakfast done in less than an hour, and do not eat again till eight or nine at night. Trail with his three and a half lines is a shabby fellow, unworthy of my notice.—Sir W. Jones! how came he to return from the E. I.? Give me his history.

“Could you get me any lights respecting the following points?—1. Expense of the ballast lighters per man, per annum. 2. Expense per man of the New Zealand expedition. 3. Expense per man per month in prison before sent there.”

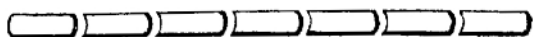
“*Zadobras, near Crichoff,*

“*February 9-20, 1787.*

“MY DEAR WILSON,—In my last which went from hence the latter end of December, but which I doubt was rather late in coming to you, I mentioned amongst other things a project of my brother's which, if successful, would require a patent, begging the favour of you to tell us whether a caveat would answer in any, and what respect, the purpose of securing to him the property of the invention in the meantime. As it was necessary for him to send a model to Petersburg, we find it is beginning to make a noise: and there are various channels through which the idea seems likely to have already reached England in its unfinished state. We have, therefore, judged it advisable, to run the hazard of the post, for the sake of giving you a general intimation of it, under the notion that some such intimation may be necessary for the purpose of taking out a caveat, which, if it will answer the purpose, we will beg the favour of you to get taken out as soon as possible. The single word *vermicular*, is sufficient to give a general idea of a leading principle. The vessel consists of a string of barges to any number, each individually of the simplest construction, and

capable of being connected or disconnected at pleasure. The modes of connexion have given a good deal of exercise to his invention: for inland navigation there is but little difficulty: any mode almost will do; but the difficulty lays in adapting it to sea service—a difficulty which, though he believes everybody in England who knows anything of what sea is, will look upon it as insuperable, he is not without hopes of overcoming. Two barges upon this principle, the one of three smaller links and the other of five larger ones, were built and made use of in the course of last summer. The former was used only in plying about upon this river, from one part of our dominions to another. But the larger was sent down from our Soz (Soje) into the Dnieper, and so down as far as Kremenschuk, (about midway between Kiev and Cherson,) about 800 or 1000 miles. Laying out of the account stoppages, which the business required to be made at different places, the voyage was performed in eighteen days, a degree of expedition much exceeding anything that had ever been known. Sam and I, and Sir R. W——, went down in it about one hundred versts, (sixty or seventy miles.) According to the received theories, the length of a vessel makes no difference in the resistance it meets with in pushing through the water. This, I suppose, may hold good with regard to the greatest differences in point of length, that can ever subsist upon the present plans: if it hold good in strictness, and with regard to any length, the velocity might be increased to infinitum, by adding sails and oars, so that you might get a boat, which, like Jupiter, would require but four efforts to get from one end of the world to the other. Back-breaking, which is the death of so many vessels upon the ordinary plans, is prevented, you see, by the division of the whole into *vertebræ*, as short as can be required. The mode of connexion thought of for the sea is now practising upon a vessel which, under the name of the Imperial Vermicular, is building here, for the faint chance of her majesty taking a fancy to set foot in it. A barge has been built for her

at Smolensko, and another for the emperor, and sent down to Kieff; but they are so clumsy, that there are great doubts whether they will be deemed fit for service. In this imperial vermicular, the joint is such as to render the vessel flexible in all directions: the tail (stern) of each intermediate link is concave and adapted to a corresponding convexity in the head (stem) of the link behind.



The enabling them to play up and down as well as laterally, is performed by a contrivance which I am not able to describe without drawings, and which would be difficultly apprehended without a model. Suffice it to say, that by means of an iron bar playing upon rollers in a horizontal groove, the links are kept from striking one against another, at the same time that they are capable of being allowed to pitch and roll in every direction. This has the inconvenience of requiring some good carpenter's, as well as smith's work. Upon further reflection, my brother has conceived what he looks upon as a more commodious mode of connexion, as well as more secure mode of fastening by nothing but ropes and wood; and the convex and concave terminations which required some work, he now looks upon as unnecessary, even for sea service. He is accordingly building two other vermiculars, which are nothing but a parcel of oblong boxes, such as every one can work at who is capable of handling an axe—that is, every man in Russia. As such a vessel cannot be governed by the tail, it must be governed by the head, and the head link is accordingly adapted to that purpose. There are other contrivances for rendering the serpent flexible or inflexible at any joint, as occasion may require. The above-mentioned are on Sam's own account. The prince's peasants are just about to be set to work upon a vermicular of a hundred links, which, if it has so many, will be just a verst—that is, two-thirds of a mile long. This is to fetch Crimean salt from Kremenschuk, to which place it is hindered by waterfalls from getting all the way

from the Crim by water. Another, of a few solid links, is to try the experiment of sending wood to the Crim, where it bears an immense price: the timber alone costing more than the ship it is destined for would cost when completely built at Petersburg. Timber, at present, travels very expensively and awkwardly by sea. Sam flatters himself that his mode of navigation will admit of a considerable saving in the article of men in comparison with the common one, as well as in the articles of workmanship and materials. When you go over as Judge to the E. Indies, let him have the honour of building a vermicular for your conveyance. Should it be a calm, he'll row you all the way faster than the wind could blow you. I wish I could know, for example, what the ordinary rate of expedition is at present in the London fish trade, and what advantage would be likely to be had, if that rate could be increased in any given degree, for example, doubled. I believe, at present, the fishing smacks are stopped every now and then at Gravesend waiting for the tide. A vermicular shall catch them for you out at sea, and row them up to Oxford, dropping a link wherever there is a market. I doubt they will smell rather strong at that rate before they come to the end of their voyage, unless one can persuade them to live a little while in a cage with or without fresh water. I will leave it to your imagination to extend the idea to the thousand applications, belligerent as well as pacific, to which ours extended it some months ago. We intend you for the command of an expedition to storm Paris with; and pray do not let a foolish tenderness prevail with you to leave anything there alive. You will conclude for or against the patent according as you think it more likely to do good by securing the invention in this unformed state, or harm by publishing it. Mr Williams, Alderman Clark's partner, has taken out patents: if the connexion still subsists, nobody better. I have all along understood that the taking out a caveat costs but a guinea; but this, I suppose, does not include the solicitor's fee. A few words, I imagine, is all that is necessary,

or even usual; just enough to serve as an index to the invention.

"I am grudging every instant of the time I am fooling away in writing stuff and nonsense to you, and the much greater time it takes me to consider which I shall say to you of the thousand things I should have to say to you if it took up no time. I am writing letters to you abusing Pitt for being about to reduce the rate of interest, and abusing the world for limiting the rate of interest at all.* I am marginal-contenting† *Essai sur les Recompenses*‡ about the size of Beccaria's book, with Voltaire's Comment added to it. It was begun to serve as one of the divisions of my great French work; but I found it detachable, so I swelled it out a little, and send it you to do what you will with it. It touches upon all the possible applications of the matter of reward, ordinary and extraordinary. I want the Report of the Commissioners of Accounts bitterly; but want must be my master. I pull down the church in it *inter alia*; but the church will have been settled, as well as the rate of interest reduced, before it gets to England. All I have to say on the civil branch of law is marginal-contented and ready for reading, were you but here. It is a preceding introductory book. There is a Frenchman of the name of Allix, whose business it is to teach French. Alderman Clark, by whose means I knew him once, knows, I suppose, where to find him. Him I should like to have to correct the press, and expunge solecisms. A parson would not do, because perjury subscriptions are abused, and the emoluments of ecclesiastics reduced to what they themselves set them at by Curacies. If Hughes' correctors understand accents and so forth, as a Frenchman would, I would take my chance for solecisms, if such a thief as Allix could not be had for the value of five guineas. I mention Allix thus early, because his lodgings

may perhaps be unknown to the Alderman by this time, and it may take some time to find him out.

"I am distracted to know what to do about staying here or returning. Here I can work double tides; but every now and then I am non-plussed for want of books. London is infested with devils. If I knew of any such lodging-place as Thorpe, where I could be *perdu* till my book was printed, without being known to anybody to be in England, besides you and Trail, and honest Mr R. King, whom I could depend upon for not betraying me, it might be a means of my returning sooner than I should otherwise. I would change my name and pass for a madman, or a bankrupt. I can sleep without a bed, and live without victuals. The only article of luxury I should be puzzled by the want of, is a two-legged animal who lies down without a bed by the fire and keeps it in all night, with power for me to get up at any time and kick him out of the room. A rush-light, with a fire ready laid in my bed-chamber, would be but an indifferent *succedaneum*.

"Pray get from R. King a packet containing securities of mine: open it and give me a list of them, (there are but few,) and keep them in your custody. In particular, tell me whether amongst them is a Tontine *debenture* on my life, and whether it appears therein up to what time the interest has been received.

"This day three weeks the empress passed through Crichoff, in her way to Kieff. Besides Russians, there were F. H., and the French and Imperial Ministers. Lord Carysfort was not of the party, as was expected. Poor F., who is ailing, having got something the matter with his liver, was sadly sick of the excursion. The same company, the same furniture, the same victuals: it is only Petersburg carried up and down the empire. Natives have too much awe to furnish any conversation: if it were not for the diplomatic people, she would have been dead with ennui. Dr Roger-son, the E.'s physician, attended her of course: no other Englishman of the party except a young officer, adjutant to one of the generals. Five hundred

* The Defence of Usury, at the beginning of vol. iii. of the works. See farther notices of it below.

† In reference to his practice of running an abridgment along the margin of his works.

‡ See the Rationale of Reward. Works, vol. ii.

and fifty, I think, was the complement of horses provided here. The most extraordinary part of the cavalcade were no fewer than thirty washerwomen. A large wooden house, under the name of a palace, had been built here as at every other station, for the purpose of furnishing her a night's lodging. Sam was not in the way, being then upon an expedition about the vermicular business to Cherson and the Crim, from whence he returned but Saturday. Neither was the prince,—for it was he that Sam was dancing after. Sam saw some of them in his way home through Kieff. I was, of course, much inquired after, which I chose rather to be than seen: being at the farm here a few miles from Crichoff, I escaped regal notice. The streets through which she passed were edged with branches of firs and other evergreens, and illuminated with tar barrels, alternating with rows of lamps, formed by earthen-pots filled with tallow and a candle-wick in the middle. So I was told, for I had not curiosity to go to Crichoff, either before or after, nor have I been through these three months.

"God love you. Answer this as soon as you receive it, and tell me the news, particularly what projects of all kinds are said to be in agitation."

In the course of his residence in Russia, Bentham had occasion to witness more than once the interference of arbitrary power. His person was arrested, and his property seized, for a debt of 280 rubles, alleged to be due by his brother. He appealed to the superior court of Mohilev, declaring that he was not altogether ignorant of natural or general jurisprudence, though unacquainted with Russian law. I find in his papers much correspondence both in French and Russian, on the subject; but I cannot discover whether he ever obtained redress. Notwithstanding the many annoyances to which he was subjected, and repeated applications from his friends to return to England, he still lingered at Zadobras, for the benefit of that complete solitude which enabled him to pursue his studies, and to proceed with his writings. George Wilson, to whom he had sent a pamphlet on *Prison Disci-*

pline, refused to send it to press as being "small game," the "subject unpopular." Some of his remarks on the character of Bentham's mind, are worth preserving. They are in a letter of 26th February 1787. He says:—

GEORGE WILSON TO BENTHAM.

"You have now made a reasonable visit to your brother, and on your own account you are doing nothing there which may not be done at least as well here. I have, therefore, some hope that you will be induced to return by a shorter and more certain mode than that of your intended ship. It is not because Trail and I disapproved, that you abandoned your Introduction, your Code, your Punishments, &c. The cause lies in your constitution. With one-tenth part of your genius, and a common degree of steadiness, both Sam and you would long since have risen to great eminence. But your history, since I have known you, has been to be always running from a good scheme to a better. In the meantime, life passes away and nothing is completed. I don't know why I talk thus, unless, because at this distance I may do it with safety; for, except the satisfaction of discharging so much spleen, I expect no good effect from it. I do very much wish, for many reasons, that you would come home; and am sincerely of opinion that your worldly interest absolutely requires it. If your father should not be wrought on to alter his will, there is great danger of his squandering his fortune.* I understand, that not long ago he purchased a house for Mrs B. to live in, after his death, which house they are now tired of, and want to sell. He is just now beginning a great building in his court, to look into the park, everything being down except the screen. In short, there are new whims every day, and all of them expensive."

Trail adds to the letter:—

"I join most sincerely in Wilson's entreaties, that you would return soon

* This turned out to be a misconception of Mr Wilson's, as will be seen on reference to a letter from Bentham to his brother, dated 2d May, 1788, p. 181.

to this country; and for other reasons besides the very weighty ones which he has mentioned. Our ministers, as they have little to do abroad, seem to be full of schemes for domestic improvement. Pitt has just introduced a plan for consolidating the customs, and which he is to extend to the excise and stamp duties. The state of the poor laws has excited a good deal of attention. Gilbert, who has undertaken to reform them, is utterly incapable; but the information he has been enabled by the legislature to collect, may be useful to wiser heads. The Protestant dissenters are at work to get the Test Act repealed, and they entertain good hopes of success. Fox, and other leading men, have promised their assistance. Pitt owes so much to the dissenters, that he cannot oppose the measure. The people are certainly become more enlightened in their notions on commercial subjects. The French treaty is not only popular among those classes of manufacturers who expect to derive immediate benefit from it; but it is generally approved of throughout the nation. Lord Lansdowne sometimes says it is a pimping imitation of one of his great schemes—at others, that it is a very good treaty—and then, again, that it is a ruinous measure. I have heard nothing of late about reducing the interest of money. Soon after the conclusion of the war, it was a subject of conversation; and the landed gentry, who had found great difficulty in borrowing even at five per cent., were said to be very anxious to have the rate reduced. But since it has fallen of itself, and may be expected to sink still more, I think the subject has died away.”

Another letter of Wilson's of 24th April, contains the following passages:—

“I have received your two letters of the 9–20, February and March. Why the first was enclosed to your father, you best know. The consequence of it was, that after keeping it a week, he sent me, not the letter, but information that he had it, for the purpose of obliging me to open it in his presence. I was accordingly obliged to read great part of it to him, and had much difficulty to conceal the rest. But reading it is not

enough. I have been forced to promise to copy for him all I have read; and the copy he will put in a book which he has entitled *Epistolæ Benthamianæ*, consisting of your letters and Sam's, mixed up with his to Lord Lansdowne, Alderman Clark, Dr Brown, &c., and their answers. He was much offended at having himself no letter in that packet of a later date than December, which should, indeed, have been a reason with you for not enclosing mine to him. But his anger as to this point, seems to have subsided since the receipt of your letter of March. He has at last given me a reading of the collection of your letters, which are entertaining, and in many parts interesting; but I think in other parts, it appears that you were working hard to make out a letter which you had no pleasure in writing. With respect to your inspection pamphlet, he seems inclined, since your last letter, to publish it, but with his own corrections and alterations, which are to be communicated to me to-morrow. I shall endeavour to delay the publication till the arrival of your answer to my letter of 27th February. I hope you have since received one from Trail and me, of about the 12th March. We are so well convinced from this experiment, of the difficulty of publishing for an author at such a distance, on account of the alterations which even the lapse of time may make necessary, to say nothing of other circumstances, that we are resolved, I mean Trail and myself, to have no concern in the publication of any other work which you may think proper to send over. We have another reason for this resolution, and that is, that being fully convinced of the necessity of your return, for the reasons mentioned in our two last letters, and which still subsist, we think it fair to use this species of distress which accident has put into our hands. It gives us great pleasure to learn that you have so many things in forwardness; and we think the subjects are such as will do you credit, but we are not quite reconciled to the French language, or the form of letters. As to the rate of interest, no proposal has been made in Parliament to reduce it, nor have we been

able to learn that any such intention has been entertained by Mr Pitt, or any other great man; so that whatever applies to the alteration, as to this time particularly, you will have to alter. This circumstance alone, might satisfy you of the advantage of being on the spot, if you write on subjects relating to this country. I think you had your intelligence from Sir R. W——. The subject of interest, is, however, of great importance at all times; and you can say a great deal about it which has never yet been said. It is at all times sufficiently in people's minds to make it interesting; and perhaps new doctrines concerning it, will have more weight that they do not appear to be published on the spur of the occasion. We are, therefore, very desirous that you should publish, but not till after your return.

“I have little news to write; and if I had, perhaps I should withhold it, by way of an additional distress. But, to use the words of a great author—‘it is a busy age, and everything teems with improvement.’ Our Customs are consolidated, and in three weeks our ports will be open to the French. The crownlands are in a way of being sold. Great materials have been collected for a revision of the Poor Laws, which, in other hands than Mr Gilbert's, might be turned to profit. The House of Commons have given a great blow to the ecclesiastical courts; and I think people begin to be more and more convinced of the mischief of tithes. Indeed, on all points of political economy, there is an evident change in the public opinion within these ten years, which may be in some degree owing to the circulation of Smith's book, but still more to the events which have happened in our political and commercial connexion with America, to the utter disgrace of all the old thrones. In Ireland, there are great schemes of police going on, and a new system of education just announced in a long speech by Mr Orde; and all this time you are living in a cottage in White Russia, ignorant of everything that is passing in the world, unless when Sir R. W—— gives you some misinformation. The dissenters have failed in their

attempt to get the Test Act repealed, but the division was respectable, and they are not discouraged. They are very angry with Pitt, whom they will probably no longer support as they did at the general election. Priestley has written him a letter, a printed one, I mean, full of rage against Pitt, the Trinity, and the Church Establishment—clever enough, and very bold, but very indiscreet, and certainly prejudicial to the cause. They are founding a college at Hackney, which is to rival and overthrow Oxford, and Cambridge; but I fear they have not heads to effect that good work. They are violent zealots in their way; and one article in the constitution of the new college, is, that all the professors shall be dissenting parsons. Several eminent men among them have refused to subscribe on account of that clause. I know nothing of the history of the late transactions in France; but we are told that their land-tax is to be given up, and that at present, all credit, public and private, is at a stand. Not being a citizen of the world, I hear the miscarriage of improvements in France with great philosophy. There is a navy officer, whose name I forget, who has invented a pump which works by the motion of the ship, without men, and he is now gone out in a frigate to try it. Notice is given by Mr Minchin, of a motion with respect to the criminal law. Our fleet for Botany Bay, is, I hope, sailed to-day—they waited for a wind, and it is fair. Your father has heard of an *Atlas de Commerce*, by Le Clerc, Père and Fils, and a book of maps of Russia, &c., published last year in France, which are said to have great merit, and he is trying to get you a copy.”

Wilson writes again, 14th July, 1787:—

“Dr Smith has been very ill here, of an inflammation in the neck of the bladder, which was increased by very bad piles. He has been cut for the piles, and the other complaint is since much mended. The physicians say he may do some time longer. He is much with the ministry; and the clerks at the public offices have orders to furnish him

with all papers, and to employ additional hands, if necessary, to copy for him. I am vexed that Pitt should have done so right a thing as to consult Smith; but if any of his schemes are effectuated, I shall be comforted."

BENTHAM TO GEORGE WILSON.

"*Crichoff, May 4-15, 1787.*

"MY DEAR WILSON,—I send for your edification, a Defence of Usury and some other enormities. Abuse it and keep it, or abuse it and print it, as to your wisdom may seem meet. Don't let Trail see it or hear it (the blasphemous 14th letter I mean) till he has submitted to have his hands tied behind him, for fear of mischief. Douglas's phlegm might be trusted, but he is Attorney-general by this time, and has not time.

"Don't let any very flagrant absurdities go for want of correction or erasure: false or dubious law I don't so much care about, provided you correct it or clear it up in a note. What I send you at large is only the middle; the condemned head and tail I send you only the contents of: somewhat of their history you will find in margin of said contents. The chapter on Blackstone I give you full power over. Sam, as often as he considered it in the abstract, was for suppressing it, because Blackstone is dead, and its harping on the old string, &c.; but as often as he heard it read over, which he did two or three times, he laughed so heartily at the parody that he could not bear the thoughts of parting with it. You see there is nothing at all ill-natured in it, and as it adds a considerable strength, I think, to the argument, I should be rather sorry it were out. My greatest scruple of conscience is whether *Jockeyship* is really used in the sense in which it occurred to me, and in which alone it can be admitted, viz., for the sin of *selling* a horse at a high price. You may call this confined subject, flying at small game: but, with submission, I don't think such a confined subject stands, as such, a worse chance for being read than a great system. As for the form of letters, it was written in this form before the law against

letter writing was promulgated; and the Defence of Projectors could not have been conducted in any other way with near so much advantage. If you do print it, don't let it linger; but send it to the press quickly, that it may begin the sooner to lay in a little stock of reputation for me against I get home. When that part that relates to the reduction of the rate of interest was condemned upon what you told me of that measure's being laid aside, I was sadly puzzled for a long time how to introduce the part which you now see. I give you, on the other leaf, a various lection, which I wrote to humour Sam, who wanted something to be said to give folks to understand that I did not stay here, as some might suspect, to intrigue to get into this service,—an honour which I have most certainly taken no steps whatever to obtain, nor would accept of were it offered me.

"The intimation given that these ideas of mine about usury are of old standing, as I dare say you and I recollect they are, was a piece of selfish prudence, which you will think vain. There is one Playfair* who published, just before I left England, a trumpery book in 4to, called the Interest of Money Considered. Nine-tenths of it is bad writation about the origin of society, and so forth: the other tenth is a perfectly vague and shapeless proposal for relaxing the rigour of the anti-usurious laws in favour of projectors; yet without any argument in it, or any other idea, but that vague one thrown out in almost as general and vague a way as I have stated it in. I understand it has been well enough spoken of by several people.

"That you may not plead scruples of conscience, take notice that I give you full power to make all manner of alterations, additions, and subtractions to any extent you think fit."

"PROPOSED DEDICATION.

"DEAR —,—It was because he had a fancy for it that Ovid, as he himself certieth, wrote his *Metamorphoses*. It is for the same reason I write about

* William Playfair, a brother of the Professor.

usurers, whom I have a fancy, and that you know not a new one, for metamorphosing into honest men. I have a fancy for addressing myself to you on this occasion, rather than to the world (at large.) I have a fancy for sending you these letters, rather than wait a few months, and be myself the bearer of them, when the visit, which, though to a brother, your friendship styles a long one, is at an end. I have a fancy for staying here, to pick, in not unpleasing solitude, this dry bone, instead of plunging into the passing vortex, and retracing the course of the Borysthenes, to stare at crowns and diadems.'

"The egotism and pertness of the above, will prevent, I suppose, your giving it place. But do with it as you list.

"When I wrote it, I had not as yet hammered out the introduction which you see.

"Don't wait to correct the work before you write me word whether it is to see the press or no: that you can tell me within a few days after you have received it.

"Sam is gone in pursuit of the empress in his serpentine or vermicular barge, of which I have given some account to my father.

"I stay here partly to wait for him, partly to wait for my things, the bulk of which, whatever you may think of it, I have never yet been able to get from the Crimea."

"*Crichoff, Aug. 16-27, 1787.*

"*Tuesday.*

"DEAR WILSON,—Last post-day, Friday 12, I received yours of July 3-14. You have received, then, my Defence of Usury. You think you shall approve of it. You inform me of the imminent danger it is in of losing the appearance of whatever merit it may possess by delay. And yet—spite had almost said *therefore*—you delay it,—delay it till I don't know when, still less *you*. No, you have *not* delayed it: I accuse myself of injustice in attempting to believe you. Yet my anxiety not to see week thus flung away after week, makes me

force my mind for a few minutes to this improbable supposition. Send it, then, if you have any desire to acquit yourself of breach of confidence, or I, any power over my own,—send it somehow, anyhow, to the press. I wish it were possible for me to devise the least coercive form of words that would be sufficient to produce this very simple effect: no others would I use,—but those indeed I would use at any rate. . . .

"If you think it wants correction, which you want either time or inclination to give it, send the part in question, which comes within a narrow compass, to some publishing lawyer with a fee. But this unknown Mercury must not speak for me: what he says must be in a note of the editor's—not in the text—yours, or Trail's, or Douglas's, who, the more you would say for me, the more I should be obliged to you. But even that is not at all necessary. All I am anxious to avoid is the plying the public with false law: the being seen to be ignorant or mistaken in points of law at 1500 miles distance from all sources of information, gives me not the least concern. I have no opinion-trade to spoil.

"To Mr — to peruse the enclosed paper for the press, and state in form of notes of the editor what, if anything, may be necessary for clearing up the points of law therein referred to, guineas.' There is a form for you to save your trouble, and obviate, if possible, that uncharitable fund of scruples and difficulties of which your imagination is so fertile.

* * * * *

"The author being at a distance from all sources of legal information, and disappointed of the revision to which he had trusted with respect to matters of that nature, the present editor begs those circumstances may be considered.'

"Corrigenda if you please—not otherwise. Date—The letters were began, I think, in February or January, finished in April. If you think there will be any use in putting either of those dates instead of the one they bear already, do.

"In the short chapter on compound

interest, strike out, 'It makes frequent pretences of hating letters, but its hate is as inconstant as its love.'

"In the chapter on Champerty, strike out the passage beginning 'You would tell me I had caught,' and ending 'but this is not a place to plant it in.'

"If you have an opportunity, tell Douglas how much I should be obliged to him for any part he might be disposed to take in it. He had once the kindness to say, 'Don't send your French to the press without my seeing it,' and I the bluntness to reply, 'I can have no confidence in *your* French.' The vacation, I hope, will not be over before this reaches you. On the other side an order for Hughes—lest you should think it necessary that an advertisement be inserted, if necessary, that is, if your refusal makes it so; but subject to your correction.

"A thousand ways have I turned and twisted my imagination to squeeze out means of obviating the host of impediments apprehended on the part of yours; several of the condemned letters I had written before this. The event will show with what success.

"It is possible I may be set out on my return before an answer from you can reach me; but as that is quite uncertain, don't let it hinder your answering.

"Sam is not come back yet, but I expect him every hour.

"Anderson had had the kindness to offer, even in the form of petition, to take charge of anything I might wish to publish in my absence. One of the condemned letters was to him for that purpose. I gave up that scheme for uncertainty of success and certainty of delay. He may be dead, ill, occupied, &c.

"When you see Ald. Clark, thank him for the letter I had the pleasure of receiving from him the other day.

"With this goes a letter to King, enclosing Tontine power-of-Attorney and Certificate."

The latter portion of the above correspondence relates to the Defence of Usury, which it will be seen was written at the beginning of 1787, during the

author's residence at Crichoff. It would be difficult to find a specimen of logical demonstration more acute and perfect. It was an application of the Utilitarian principle to a limited part of the field of action. The letter to Dr Smith in favour of projectors, is novel in conception, happy in irony, eloquent in language, and irresistible in argument. Bentham, though the first to attack a widely-spread and deeply-rooted prejudice, has really left nothing to be done for its destruction, except for wise legislation to undo the mischievous work of ignorant legislators. Though not carried out to its full extent, Bentham's principle has been partially adopted by Parliament, and the Usury Laws have undergone great modification. The MS., as intimated in the correspondence, was sent to George Wilson. He wished to suppress it; for he was by nature cold and cautious; but Bentham's father got hold of the MS., and sent it to the press. On Bentham's return from Russia, when passing through the Hague in 1788, the English ambassador, Sir James Harris, (after Lord Malmesbury,) put the volume into his hand, which he then saw in print for the first time.

The opinion of Dr Reid will be seen in the following letter to Dr Gregory, who declared himself converted to Bentham's opinion, saying, that the reasoning amounted to demonstration. Dr Adam Smith himself used this expression to Mr Adam:—"The work is one of a superior man. He has given me some hard knocks, but in so handsome a manner that I cannot complain," and he added that he thought the author was right.

Extract of a letter from the Rev. Dr Thomas Reid, of Glasgow, to Dr James Gregory, Professor of Medicine at Edinburgh, dated Glasgow, Sept. 5, 1788.

"I am much pleased with the tract you sent me on Usury. I think the reasoning unanswerable, and have long been of the author's opinion, though I suspect that the general principle, that bargains ought to be left to the judg-

ment of the parties, may admit of some exceptions. When the buyers are the many, the poor, and the simple; the sellers few, rich, and cunning: the former may need the aid of the magistrate to prevent their being oppressed by the latter. It seems to be upon this principle that portage, freight, the hire of chairs and coaches, and the price of bread, are regulated in most great towns. But with regard to the loan of money in a commercial state, the exception can have no place. The borrowers and lenders are upon an equal footing, and each may be left to the care of his own interest; nor do I see any good reason for the interposition of law in bargains about the loan of money, more than in bargains of any other kind. I am least pleased with the 10th letter, where he accounts for the infamy of usury. In one of the papers you mention, (which I give you leave to use as you please,) I have attempted an account of that phenomenon, which satisfies me more than his account does. I am, &c."

The *Monthly Review* for May, 1788, speaks of the *Defence of Usury* as 'a gem of the finest water,'—'a grateful refreshment in the dreary fields of criticism,' as preparing for our 'emancipation from many great errors that capitally influence the business of human life.' The work has been translated into several languages, and it awakened discussions in many parts of Europe. In the following year, (1789,) this advertisement appeared in the Austrian newspapers:

"PREMIUM.

"His Majesty the Emperor and King, by his Aulic Rescript, dated Vienna, the 16th day of March last, has ordered to announce to the public the following question, with the premium annexed to it.

"What is Usury, and which would be the most efficacious way to prevent it, without recurring to penal laws? The answers, to be given in writing, may be sent to the Imperial and Royal United Aulic Chancery at Vienna, until the 1st of May, 1790: and the author of that which, combining the political and judi-

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ciary objects, shall be deemed the most adapted, shall have the fixed premium of five hundred golden ducats."

On the occasion of Farr (brother of Charles) Abbott's marriage, (to a lady of considerable wealth,) Bentham writes:—

BENTHAM TO FARR ABBOTT.

"I have been telling your mother as how and as when I have been hearing of your having committed matrimony. Much about the time that you were recommending that holy state by your example, the thread of my lucubrations had led me to an humble proposal for the encouragement of it, in the only way in which such a connexion requires to be, or ought to be encouraged, by rendering it easy for those who do not find themselves comfortable in it, to shake it off. The idea itself is rather ancient; as ancient, for aught I know, as Adam and Eve; but the arguments I have brought in support of it, are of such strength, take my word for it, as must impress conviction upon the judgment of every unprejudiced person, who may think it worth his while to listen to them. Whatever you may think of them, I am in no doubt of meeting with readers whose feelings will bear due testimony to their merit. As far as I hear, however, I have little chance of finding either you or Mrs Abbott of that number: so that if I get any thanks from either of you, it must be by bespeaking them, which I do by these presents, of which take notice.

"I have been wishing your mother a whole rabble rout of grandchildren, but that was only a way of speaking. I hate squalling, as much as I love music. I hear from an old gentleman of our acquaintance, that my new sister has a pretty finger, which he invites me to come and admire; and as that is the only part of her person a man who is not her husband can have unlimited indulgence for admiring, any acquisition of children to you, would only be so much loss to me. I never yet knew any good, and have often known much mischief come to music from women having brats, whatever may be the case with

N

other kinds of harmony. The world says, to use a Johnsonian expression—"You give good fowls:" I rejoice to hear of it: I scarce know of any greater merit in such a world as this is, than that of giving good fowls: it gives me a great respect for you. I am rubbing up my epicurean ideas as well as I can, to enable me to worship your fowls; 1500 or 2000 miles journey, will, I hope, give me some appetite for them. Amongst the many additional oddities I have, I dare say, contracted in this my hermitage, is that of never eating anything but bread and butter till about nine o'clock at night, and then not caring what I eat, nor much whether I eat anything or no—yet I never was better in health in my life, and I rather increase in flesh than fall away.

"Remember me affectionately to Charles. He is taking great strides, I make no doubt, towards the top of his nasty prostitute profession. I will not pretend to wish that families may be ruined for his sake, any more than that Turks may have their throats cut for Sam's. All I can wish, is, that if Turks must be killed, Sam may have some share in the killing of them; and that if Christians must be plundered, Charles may have a good finger in the plunder pie.—I am, dear Farr, yours and his very truly."

Bentham collected at Crichoff, the seeds from the plants described in the subjoined list, which he distributed largely among his botanical friends in England. The cultivation of new, and especially of beautiful flowers, was, through life, one of his greatest pleasures. Botany he loved for its instrumentality in the diffusion of enjoyment. "We cannot," he would say, "propagate stones." The mineralogist cannot spread or circulate his treasures without self-depredation; but to the powers which the botanist has, of adding to the pleasures of others, there are no bounds.

List of Seeds gathered in 1787, near Crichoff, in the government of Moghilev, in the province of White Russia, N. Lat. 54. and communicated to Dr Anderson, Dr

Trail, Dr Pitcairn, Dr Fordyce, Mr Aiton, and Mr Lee.

A.

Plants growing in a very shady situation at the skirts of woods:—

- No. 2. Habit somewhat like a Cowslip. Flowers purple,—in a very shady situation, some of them red on the same stalk.
- No. 1. *Anemonoides*.—Corolla 5 ad 7 petala alba—lineis viridibus distincta.—Folia cordata amplexicaulia.
- No. 1. Id. 7 petala vice 5 petala.
- No. 3. Corolla 5 aut 6 petala—alba—rosacea.—Folia ovato-oblonga. Planta humilis.
- No. 4. *Fumaria*,—a variety with white flowers.
- No. 5. *Fumaria*,—some of it probably a variety with white flowers.
- No. 6. *Andromeda*.—Folia *Kalmoidea* caulis summitatem arcuantia.
- No. 7. *Orobus*,—an vernus?

B.

Plants growing in a situation not much shaded, though near the skirts of woods:—

- No. 1. Low plant, with awl-shaped leaves, and a spike of purple flowers.
- No. 1. A variety of it with red flowers.
- No. 2. *Vicia spicae* 5 aut 6 unciali,—planta per elegans, c. 1786. Non reperi in 1787.
- No. 3. *Rubus humilis*,—bacca quadri-acinâ.
- No. 4. *Cheiranthus flore lurido noctu-olente*.
- No. 5. *Lilium Martagon*, flore nutante carnicolore maculato.
- No. 6. *Campanula flore magno cæruleo*.
- No. 7. *Campanula flore magno albo cærulescenti*.
- No. 8. *Spartium*.
- No. 9. *Lathyrus flore luteo, foliis binatis*.
- No. 10. Hawkweed, hairy-leaved, trailing.—Flower brimstone-coloured.
- No. 11. *Planta Antherici facie?* Spica sparsa. Caulis longus. Radix fibrosus. Folia graminea. Flos non visus.
- No. 13. *Anemone flore albo sub-lanuginoso*.
- No. 12. *Flos labiatus partim flavus partim rubescens*.—Folia superiora purpurea.

C.

Plants growing in a mossy swamp:—

- No. 1. Willow-leaved, with globular tufts of yellow stamina, and no apparent corolla.
- No. 2. Rush-leaved, with globular tufts of white stamina.
- No. 3. *Cyclamen* flowered myrtle-leaved, creeping plant, growing midst mosses in swamps.
- No. 4. *C. Impatiens*,—a variety, with a yellowish flower almost white.

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|---|---|
| <p>No. 5. <i>Frutex humilis</i>. Corolla lagenoides. Calyx nullus. Folia ovata glauca subacida.</p> <p>No. 6. <i>Rhododendron?</i> Folia Rosmarinidea. Flores verticillati albi. Planta tota odora.</p> | <p>No. 2. <i>Planta incognita</i>, sub-humilisepe apud Bentheim collecta.—Spica circiter 12-uncialis.—Flos non visus.</p> <p>No. 3. Seeds of I forget what plant.</p> |
|---|---|

D.

Plants growing in a very dry soil and sunny exposure:—

- No. 1. *Trifolium flore luteo*.

E.

- No. 1. White strawberries, remarkably large, from a gentleman's garden.

N.B. For want of leisure, books, and instruments, the botanic characters were not attended to. The ground for looking upon them as new, is their appearing such to an experienced botanical gardener, bred up under the king's gardener at Kew, and in other capital gardens in the neighbourhood of London. The names or descriptions here given, however loose and untechnical, it was presumed would be more satisfactory than none.

CHAPTER VIII.

1787—1789. Æt. 39—41.

Return from Crichoff.—Journey through Poland, Germany, and Holland.—Klaproth the Chemist.—Pursuits on his Return.—Notices of the Fordyces, Hoole, Lord St Helens, Fitzherbert, Stone.—Inter-course with Romilly and Dumont.—Hastings' Trial.—Sir Eardley Wilmot.—Opinion of Lord Lansdowne.—Correspondence with France.—Brissot.—Work on Penal Law.—Tactics of Political Assemblies.—The Abbé Morellet.—Letters of Anti-Machiavel: Controversy with George III.

BENTHAM reached Crichoff in February, 1786, and left it in October or November, 1787. He says, "I stole out of the Russian dominions. There was no harm in my stealing out; but there was considerable harm in my stealing out with me a Swede, who represented himself to be of noble blood. He wrote an admirable hand, and spoke seven or eight languages: having been two years in the English service, he was perfectly master of English. He had presented himself to me in my brother's absence, soliciting employment. He had married a Polish lady of rank; but how they lived I know not." He was, however, delighted to be taken into service, and Bentham employed him in copying. Seeing his capacity, Sir Samuel, on his return, made the Swede a sergeant, and, of course, enrolled him, and gave him a uniform. When Bentham got weary of his exile and wished to get away—distant 1500 miles from any port—he could not accomplish it, ignorant as he was of the languages of the countries through which he had to pass; so he determined, at all risks, to take the polyglot Swede

with him as a servant,—and that without leave, as leave could not be obtained. Bentham consulted General Bander, who warned him of the perils to which he would expose the Swede and himself, and of the heavy character of the offence, should it be discovered. But Bentham had other perplexities,—and among them, not the least, was the want of money,—so he sold off a second-hand chariot which he had sent from England to his brother, and his brother never used; and engaged the Swede, who, though he was undoubtedly a great linguist, was a still greater liar: however, he was most anxious to escape from barbarous Russia to civilized Europe, and to avail himself of the occasion Bentham's departure offered him. At Crichoff money was not among obtainable things; and the resources which Bentham had spent in coming, and which had been provided principally by his uncle, were not to be replenished.

The Swedish sergeant wore, of course, a serjeant's uniform; but when Bentham had to ask a passport for his *Liudi*, (or follower,) the business was to destroy

the serjeant's identity; and a coat was found with a broad edging—finery which both the Bentham's had worn in turn. They started from Zadobras in a kibitka made for the journey. It had a mattress, covered with leather prepared at the tannery, but very offensive from the strong odour of the birchwood bark. However, in this lay Bentham, covered with a couple of Turkish shawls, which he had bought at Constantinople. The tanner-in-chief was an English Quaker; and his wife (a Quakeress) kindly prepared the only food the travellers had for their journey, except when they reached a town. Part of the supply Bentham found so delicious, that, instead of consuming it, he brought it as presents to his friends in England. It was a compound of honey and apples, of the consistency of a rusk,—the apples of which it was made having been brought from Kiev. The apprehension of being stopped was constantly haunting Bentham; and the journey was performed with perpetual trepidation, until they passed the Polish frontier; and divers discoveries of the mendacious propensities of his Swedish companion did not add to his comforts. Bentham was both cheated and robbed in his progress.

Bentham stopped at Warsaw, intending to pay his respects to King Stanislaus, whose correspondent he had been, through Lind, the king's agent in England. But bashfulness and gloominess interfered. He stayed a week at Warsaw, and saw nobody. He called on the British minister, and not finding him at home, did not repeat his visit.

At Berlin he was in somewhat better spirits, and made the acquaintance of Dr Brown, the king's physician. Brown was an idolater of Scott, afterwards Lord Eldon, whom Bentham hated as much as it was possible to his benevolent nature to hate—considering him the mightiest and most mischievous of all the opponents of law reform.

Chemistry, as the reader will have had occasion to notice, was a favourite study of Bentham's. In 1783 he had translated "Bergman's Essay on the

Usefulness of Chemistry;"* and he mustered up courage enough to call on Klaproth, who was then living there in very handsome style. So little was Bentham's name or writings known at this time, that he was introduced as Mr Bentham, a gentleman of considerable fortune. He had something to recommend him to Klaproth, for he brought a specimen of asbestos of remarkable beauty—of a green colour, divided into filaments of inconceivable fineness.

"At the Hague," he says, "I dined with Sir James Harris, where I went with the son of the lickspittle to the Duke of Newcastle, who was the dirtiest fellow I ever heard of, and when at school we used to shut the doors against him. Sir James wanted to introduce me to the Stadtholder; but he was a foolish fellow, and I should only have stared at one who would only have stared at me.

"At Hanover," said Bentham, "I was amused by the picture of the Duke of York (apt illustration of royalty!) pulling his fool's nose before the whole Court."

The want of acquaintances, which in early life was felt by Bentham as so great a grievance, was gradually supplied. Desirous of instruction, few had been the means of instruction which were allowed to him beyond those which school and university afforded; and the narrow and monkish system of education which then prevailed, was not very favourable to the development of the mental faculties. Bentham too had strong affections, to which he would willingly have found a response from the breasts of others,—but in his youth this happiness was denied him. Mr Foster, who has been before mentioned, was an instrument through whom Bentham obtained some knowledge of the world.

Mr Foster's friendship, his brother's long residence in White Russia and connexion with the court, and his own travels in Russia, had naturally established connexions in that country. He

* Essay on the Usefulness of Chemistry, and its Application to the Various Concerns of Life. Murray, 1783. 8vo.

used to speak of two brothers of the name of Tatischev, whose fraternal fondness for each other created in his mind a strong affection for both. There was also a Ronzov, (a natural son of Woronzov, for in Russia illegitimate children lose the first syllable of their father's name.) The Tatischevs were idolators of the Empress Catherine—to them a sort of a goddess divine, and they so lauded her *esprit de legislation*, that Bentham longed to be engaged in her service, and would willingly have gone “to codify” on the banks of the Neva.

In a letter to Colonel Bentham, dated 2d May, 1788, he gives the following particulars of his homeward journey from Russia, and of his way of life after his return:—

BENTHAM TO HIS BROTHER.

“How to begin a letter, even to you, after so long an interruption of intercourse? Well, the pen, by a prodigious effort, has been set a-going, and now let it run on.

“At Berlin, I arrived 16-27th December, lounged there rather more than a fortnight, waiting, the greatest part of the time, for the cursed Opera, put off from day to day by the indisposition of a cursed actress, the woman (Foote, I think her name is) you have heard at Petersburg. Dr Brown is doing there very well. A great part of my time was, of course, passed with him. I saw Mrs Brown a few days ago here on her way to Berlin, with their five children, by Hamburg; for which place, I imagine, they are already sailed. He had written to Benson a letter, full of indignation, for his rascality to you; and I found Mrs B. in the same sentiments. I was about a fortnight crawling post from Berlin to Holland through vile roads. I passed through Potsdam, Magdeburg, Brunswick, and Osnaburg. The finest situation by far, in so much of Germany as I travelled through, is Bentheim. I don't know whether I ever showed you an old MS. I have, which pretends we are descended from the Counts of that country. I did not expect to have found the pretension confirmed by the identity of the arms. Of three or four coats which I observed in

stone, on one side of the romantic castle, which is the family residence pertaining to the several counties which, it seems, centre in that family, one is composed of the thingumbobs called Cinq-foils, which you will find in your seal. The county is likely to be extinct, it seems, for want of heirs, and the Elector of Hanover has a large mortgage upon it. When the count dies, you may give my compliments to the empress, and desire she would lend us a body of troops to assert our claim. I lounged about ten days in Holland, seeing Sir James, and as much as could well be seen of the Dutch towns in that time. I reached London a few days before my birth-day; that is to say, (for you remember neither day, month, nor time of the year,) February 4-15. Q. S. P., of course, in great joy, of which he has given you, no doubt, abundant particulars. His memory and bodily strength begin to fail him; but, in other respects, he is in mighty good health, humour, and spirits. His circumstances are, upon the whole, rather improved, I think, than impaired, since I left England, and his disposition towards us is certainly rather grown better, if there were room for it, than worse. Farr and I are upon as sociable terms as it is in his nature to be with anybody, besides his mother and brothers. He has just migrated for the summer to his country-house. During the winter, I received frequent particular invitations, though no general one. The principal cement is his wife, who plays prettily on the harpsichord, and is a mighty good creature, but timid to an excess. His behaviour is as respectful as ever. Charles I see but little of; his business increases considerably, and he is said to deserve it. Lord Lansdowne vastly civil. Upon occasion of Hastings' trial, has put himself to school to me about evidence. He has accused himself repeatedly, and *sans ménagement*, for not offering me a place when he was in; and commissioned me to consider what would suit me in case of his coming in again. He supposes I should prefer a place at one of the Boards, to engaging in what is called politics, viz., coming into parliament with a precarious place.

Whether he meant all this, or whether the use of it was to make me contribute to make people think he was to come in, I cannot take upon me to say. Perhaps partly one and partly t'other; but my notion is, he never will come in, in any efficient place. As for me, my real thoughts being upon that, as upon all other occasions, as you know, the easiest for me to give, I gave them him, viz., that I was not fit for a place, and that if I were, I should not wish to have one—that I hoped always to be happy enough to preserve his good opinion, and so forth, and that was enough for me. P.C. [Colquhoun] is as zealous a friend of yours as ever. He has been showing Vermicular to George Melville, who is a very busy amateur in everything that is in any way connected with mechanics; and to Davis's friend. Lord H. Melville, he says, is much pleased with it. On the cover, as returned by P. C., I see 'Lord H. to return particular thanks for the inspection of the enclosed papers.' Whether that betokens approbation, I cannot pretend to say, P. C. not having seen his lordship when I saw him last. He is certainly of my way of thinking about usury. He brought Owen Cambridge to me t'other day to acknowledge himself a proselyte; but you don't know who Owen Cambridge* is, and it would take up too much room to tell you. I shall endeavour to send you a copy of the Defence with this, as likewise another to Pleschegoff. I choose rather to take for granted he has sent you a letter I wrote him about a month ago, in which I said something of the success of the book, than to be at the pains to write it over again. Since then, it has had some little sale in Ireland, and I hope may do something towards preventing the success of the measure of reducing the rate of interest there—a measure which, after having been thrown out of the House of Lords there this winter, is to be brought on by administration the next it is said.

"Since my arrival in England, I have, of course, been very idle, doing very little to Code, and of course feeling

like a fish out of water the whole time; but by God's assistance, I have found out a country-lodging which promises to suit me very well, and I shall migrate to it before the week is out. It is at a farm-house at Hendon, eight miles only from town—the man rents £150 a-year, and £50 of it of Mr Brown; and his wife has the reputation of a good cook, having lived in that capacity with a good family. It is decently furnished with tapestry hangings, large carpets, and immense tables. The great inconvenience is, terrible low ceilings. I shall live on the Zadobras plan, saving and excepting fleas, gnats, mice, dirt, and interruptions. It is a very pleasant country, and being all in grass, the delights of hay-making will continue five or six weeks. The Q. S. P.'s took me down, when I saw and agreed for it, and they spontaneously promised that I should not meet with any disturbance from them so long as I staid there. I have now upon trial at my lodgings (for my chambers were let during my absence, and I am in no great hurry to get back to them) a superb harpsichord of Merlin's, which I think to buy and send into the country. It has four strings to every note, viz., besides two unisons and the octave above and octave below, and a set of hammers to produce the effect of a pianoforte. The tone is a very sweet one, but the inconvenience is, that the complexity renders it proportionably liable to be out of order, and diminishes the loudness. It is an elegant piece of furniture, very beautifully inlaid. I can have it for sixty guineas. I shall buy it, and then immediately I shall regret that I did not buy instead of it, a simple grand pianoforte; the tone of which would be louder, and is to be had for the same money. The harpsichord was made in 1781, and cost then a hundred or a hundred and ten guineas. I have got a present from Anderson of a good stock of orange marmalade, with a receipt for making it. I shall set up a marmalade *fabrique* when needful, and shall then be very happy to have the honour of your company at Hendon, at the old hour, after you have dined at Crichoff.

* Richard Owen Cambridge, author of the "Scribleriad," and well known in his time as a mechanical inventor.

"As soon as I have finished such parts of Code as cannot be published one without the other, I go to Paris to get it corrected, and advise about the printing of it.

"I met Randal t'other day in the street, who stopt me to inquire after you. Charles was telling me of his having met Shairp. I forget where,—S. made very particular inquiries after me, desired his compliments to me, and added, that if he had known before of my arrival, he would have waited on me."

A letter of Lord Lansdowne, of 16th June, 1788, is a confession of that *tedium vitæ* which spares not the most elevated of our race:—

LORD LANSDOWNE TO BENTHAM.

"DEAR MR BENTHAM,—I solemnly assure you, that it has been not only on my mind, but upon my heart, to find out this parson's house at Hendon, and to pay my court to you, not to thank you for your magnificent present of not only a most magnificent, but very useful map in the present situation, because I know your nature makes you above accepting acknowledgments; but to tell you how much we wish to see you at Bowood. I am so tired of the whole human race, that we propose to bury ourselves for some time; but as happily all desires return after a certain abstinence, you will find me very happy to make peace with my fellow-creatures through you, and to begin my return to society in London, by profiting of yours for some time in the country. I need not say anything for the ladies. Though I am just now tired to death, and quite asleep, I must tell you the news of the day—which is, that Prussia, Sweden, and Denmark, have made an alliance against Russia; and are, at least Sweden, immediately proceeding to action. You know the consequences of all this better than I do. The accounts from France are wonderfully serious. Sanguine people imagine a civil war must ensue. I cannot myself imagine that any other consequence can be expected, than a more speedy assemblage of the States, and a better constitution of the Cour Plenièr, or Habeas Corpus, re-

stricted to particular descriptions and bodies. Lord Wycombe sets out to-morrow, and goes with me as far as Bowood. He sleeps only one night at Bowood, and sails in the packet on Sunday for Lisbon. This affects me, as you know, but things must go their natural course.

"*Lansdowne House,*

"*Tuesday night, 12 o'Clock.*

"P. S. You must not be surprised if my news turns out to have no foundation, for I have it from no authority. I will take care of your letter, and instructions about it, for Lord W."

I extract what follows, from Bentham's reminiscences of persons of celebrity with whom he came in contact at about this period:—

"Baron Massares* was an honest fellow, who resisted Lord Mansfield's projects for establishing despotism in Canada. He occupied himself in mathematical calculations to pay the national debt, and a good deal about Canadian affairs. There was a sort of simplicity about him, which I once quizzed and then repented. I had not studied the Deontological principle as I have studied it since.

"In 1788, I belonged to a Club, where we had a frugal supper together, the guests consisting of Fordyce,† John Hunter, Sir Joseph Banks, Solander, Lovell Edgeworth, Mill the architect, Ramsden the instrument-maker, Cummin the watchmaker,—and we talked over the news: there was nothing of form. It was rather uncomfortable for me, as I could add nothing to the interest of the Club. Fordyce, when he introduced me, communicated to nobody his opinion of me, which was high. He fancied he should see me Master of the Rolls. When my brother sent me a quantity of stuffed birds from Russia, Hunter fell in love with a huge box, and when he had performed some operation, he took the box as his fee. Mrs Ramsden was a clever woman, the sister of Dolland."

Of the Fordyces, Bentham said on

* Francis Massares, appointed a cursitor baron of the Exchequer in 1773.

† Dr George Fordyce, the celebrated physician and chemist.

another occasion,—“ I think George Fordyce had twenty uncles by the father's side. The head of the family had some great place under Government. He was too grand a personage to look at Dr George Fordyce. It was an unfortunate time when I knew him first. His laboratory took fire, and he had nothing to exhibit with, but a small portable furnace, with a few vials and common things. He had acquired a certain celebrity. He was a member of a chess club with C. J. Fox. He had no conversation. What he said, he said in a paradoxical shape, with a silly expression. There was generally a good deal that was true, with a little bit that was false. He acquired about £10,000, got by books, lecturing, and practice. He left it between his two daughters. My brother married one of them.—(Who married the other daughter? said I)—Nobody! That's a captious, interrupting question! His plan was, that the youngest should marry, and the eldest remain with him; but just the reverse took place. His wife was clever at all sorts of handiworks, botany, &c.: latterly she amused herself by making coverlets for beds. She made acres of them. He had one son, whose loss at the age of fourteen, made a deep impression on him. He was, on the whole, the coldest of the cold Scotch. He approved, he said, of every atom of the Introduction to Morals and Legislation. He had originality, and valued it in others. In my love of chemistry, it would have been a privilege for me, had Fordyce possessed a chemical apparatus. I should have been supremely happy to have known anybody who possessed one. My chamber was spacious. There was a grate, and over the grate a chimney-piece; and in one corner a closet apart to hold chemical things. I broke a hole through the wall, (it was not perceived,) and put in a pane of glass to light my closet.

“ Among the members of the St Paul's Churchyard club, to which I belonged, with Dr Johnson, was Tasso Hoole. He was one of Dr Johnson's lickspittles. He had, I think, a place at the East India House; and got money by plays and translations, which he got

people to subscribe for. He even asked me for subscriptions, though he lived in style—asked me who lived in beggary! He got me to subscribe; and Chamberlain Clark forced him to give back the money again. I went once to the rehearsal of one of his plays.

“ I knew Lord St Helens through my brother,—he was ambassador at Petersburg. My chambers in Lincoln's Inn, were opposite chambers occupied by Lord St Helens' elder brother Fitzherbert, who had been member for Derbyshire, but had overspent himself, and was rather in bad plight. He married a lady of the name of Purvis, respecting which marriage there was a famous suit. Fitzherbert and I had been schoolfellows at Westminster, which he had remembered, but I had forgotten; but as I was a dwarfish phenomenon, this was not unnatural, for he was no phenomenon; and there was some intercourse between us. Lord St Helens was extremely intelligent. He frequently attended the Privy-council, and he showed me an account of the assassination of Paul of Russia.

“ Fitzherbert had travelled with the Duke of Devonshire, and through him, I believe, he got his baronetcy. I was once asked to a formal dinner. There came in a Mr Stone, who had been secretary to the English ambassador in Paris. He sat down to the harpsichord, and played Marlbrook, the first time, I believe, it had been played in England. He was a son or nephew of Edmund Stone [the mathematician] whom we read of—for he was a personage. We had excellent punch, made of fine spirits which had come from his estate in Barbadoes. Lord St Helens was sent for by the king immediately after dinner, and left us. There was also a French refugee bishop.”

In 1788, I find the *first notice of Dumont*, to whom Romilly had sent some of Bentham's writings. He was struck with their originality and their power; and said the author was worthy to serve the cause of liberty. The MSS. were in French, and Dumont offered to rewrite portions, and to superintend the publication of the whole. He calls himself the “unknown friend” (*Ami inconnu.*)

He devoted a great part of what remained of his life, to translating the works, and giving legislative effect to the opinions of Bentham, in Switzerland, and, as far as he was able, in France, through Mirabeau his friend, and, in some sort, his pupil. It was through Lord Lansdowne the acquaintance was cemented; and I find the strongest recommendation of Dumont's aptitude in Lord L.'s letters. But of Mirabeau, Lord L. had a very mean opinion. He says of him—"As to Count Mirabeau, —I always looked upon our friend Romilly as a man of great honour and discretion; but I have been always astonished at his courage in risking a connexion with such a man. In short, I am not at all afraid of you, should you be engaged in a controversy with him; but it's madness to hazard any communication with him." Mirabeau seems, however, to have been very inattentive to Romilly's correspondence; for Romilly says in a letter to Bentham, "He (Mirabeau) never writes to me, nor answers my letters."

On one occasion, Dumont called on Talleyrand; and while a number of German princes, covered with orders and decorations, were kept waiting, he was admitted. "It might be supposed," said Dumont, "we talked about matters of state. Not a word. We only talked over the stories of our youth, when we were in London together." Dumont had then a disorder, under which he was pining away, and not expected to live. They frequently met when he visited Chauvet.

"Lord Sidmouth once stopped Dumont in the street, to thank him for his works. The English government gave him a pension of five hundred pounds a-year."

In the latter part of Bentham's life, Dumont and he were much alienated. Bentham felt offended by some remarks made by Dumont on the shabbiness of his dinners, (the observation was offensive, uncalled for, and groundless,) which he contrasted with those of Lansdowne House. In April 1827, Dumont called on Bentham, who would not see him. I took the message. "How he is

changed!" said Dumont; "he won't listen to a word from me." Bentham refused to come down. He loudly called out, it was hard that Dumont's intrusion should prevent his taking a walk in his own library, he said. "He does not understand a word of my meaning," he repeated more than once.

Dumont first communicated extracts from Bentham's writings to the "*Courrier de Provence*," and writes to Bentham "that the papers were thought sound and useful, and had been well received." "Continue your course," he says, "and march courageously, for the goal is in view. The suffrages of the few who think, will repay you for the indifference of the many—the reputation of one book prepares the way for another." In another letter Dumont says,—"In the name of your own honour, finish what you have begun, and be not diverted from your object. You are young enough for a kingdom of this world. Write and bridle my wandering opinions."

Dumont, it is well known, furnished to Mirabeau the materials for some of his most splendid speeches; and these materials were mostly provided by Bentham.

"Dumont," said Bentham "got intimate with Mirabeau, for whom he wrote many of his addresses to his *comettans*. He talked to me on various subjects, and I mentioned my papers on legislation. He expressed a desire to see them, and, having read them, asked me to allow him to use them, to which I consented. I gave him the Introduction, [to the Principles of Morals and Legislation,] which was written 1781, and published in 1789. It stuck for eight years, in consequence of the coldness of Lord Camden and Dunning; the former of whom said to Lord Lansdowne that he found a difficulty in understanding it, and therefore others would. Afterwards, however, something I wrote made a strong impression in my favour. Lord Lansdowne was intimately connected with Sir Eardley Wilmot, who had been Chief-Justice of the Common Pleas. During Warren Hastings' trial, there was a curious question of evidence: it was referred to me, and there was a great notion raised by

this communication of my sagacity on this particular matter.* My views were not favourable to Lord Lansdowne's views; for on this occasion they bore against Hastings, and he took the side of Hastings because King George the Third had taken his side. Lord Lansdowne referred the paper to Sir Eardley Wilmot, who lauded it. I did not like Sir Eardley, on account of his conduct in a case of negro slavery, when he gave damages of only one shilling in favour of the negro, and wanted to reserve the point of law. I thought the case was one where so much injury had been inflicted, that the award of one shilling excited my indignation;—one shilling for a man torn away from his family, and perhaps ruined by the law process!"

The intimacy with Romilly just alluded to, which had commenced before Bentham left England, became more active on his return. He had been *engoué* with the "Fragment." "George Wilson brought about our acquaintance. I knew him before I went abroad, and we dined together, in 1784, in Chancery Lane. Our acquaintance had not then ripened into an intimacy; but on my return in 1788, I met him one day at Lord Lansdowne's, where I also met Dumont, who had been introduced there during my absence. Great was my surprise, and a most agreeable surprise it was, to meet Romilly at Lord Lansdowne's table.

"Romilly's father was a jeweller. He was of a refugee family, no better than a Huguenot. There was a preacher of the name, I think. He had a brother and a sister. The sister is the mother of Dr Roget. The brother failed in business. When I first knew Romilly, he was in Gray's Inn. I remember calling on him, and seeing there another man's puss, which excited my concupiscence. I was very amorous of the puss, for the puss was singularly virtuous, and as interesting to me as a two-legged creature. Our love for pusses—our mutual respect for animals—was a bond of union. For pusses and mouses we had both of us great kindness. George Wilson had a

disorder which kept him two months to his couch. The *mouses* used to run up his back and eat the powder and pomatum from his hair. They used also to run up my knees when I went to see him. I remember they did so to Lord Glenbervie, who thought it odd."

Speaking of Romilly on another occasion, he said, "He was a man of great modesty,—of few words,—of no conversation. Dumont used often to dine there, and after dinner they would sit together for half an hour without either uttering a word. He had a way of quashing conversation, by saying, for instance, 'O, that man is such a fool!' but he got violent on one topic, and so laid the foundation of his fame and fortune. He did not bear his faculties meekly, nor was he heard very patiently in the House of Commons. In the Court of Chancery great oppression is exercised by the seniors towards the juniors. Many attempts had been made to set the matter right; but Romilly adhered to the aristocrats. Romilly had the ear of the chancellor, and trusted to his influence over the chancellor, and so he got some of his little miniature reforms adopted. Had they been considerable, they would have been resisted with all Lord Eldon's might."

I have exhibited some of the early impressions of Bentham respecting Lord Lansdowne. His later opinions were these:—

"Lord Lansdowne had a way of talking in fits and starts. His mind seemed always in a state of agitation with the passion of ambition and the desire of splendour. He was never much at ease, for he always outran the constable, and involved himself monstrously in debt. He showed me his rent roll. There was an enormous sum which I did not understand: it was so much due to his creditors. He had had a most wretched education, and a foolish father and mother, of whose management of him he always talked with horror. When I once spoke to him of the family mausoleum, he refused to show it to me; for he said it was associated with such disgraceful recollections. His father gave all the property he could to a younger

* See above, p. 181.

brother, Fitzmaurice, amounting to £10,000 a-year. The Pettys had been Barons of some place (whose name I forget) for four and twenty generations. They were among the first conquerors of Ireland. He did not, however, talk in the pride of ancestry. What endears his memory to me is, that, though ambitious of rising, he was desirous of rising by means of the people. He was really radically disposed; and he witnessed the French Revolution with sincere delight. He had quarrelled with the Whig aristocracy, who did not do him justice; so he had a horror of the clan, and looked towards them with great bitterness of feeling. That bitterness did not break out in words, though of him *they* spoke most bitterly. There was artifice in him, but also genuine good feelings. His head was not clear. He felt the want of clearness. He spoke in the house with grace and dignity, yet he uttered nothing but vague generalities. He took much pains to consult particular men. I remember going with him to Warwick castle for a week. There came a man from Birmingham,—a man of great eminence, whom he had sent for, to get all manner of details in relation to some branch of political economy. His name, I think, was Gabbett, and he was a manufacturer of oil of vitriol; and was, I believe, the grandfather of Lady Romilly, with whom Romilly became acquainted at Bowood, and carried on the courtship there. I heard her spoken slightly of in the Bowood family, as if not strong in understanding; but I thought her understanding both strong and sound."

An amusing epistle of Bentham to one of the ladies of Bowood has these passages:—

"My plan was, after having written what you have by this time received, to go to town to pay my respects to Lord W—, with my letter in my pocket, time enough for the post. The Fates decreed otherwise. I had scarce put the seal to it, when my seven tables, together with your old acquaintance the harpsichord, and the chairs that make up the society, set up a kind of a saraband; moving circularly round the centre of

the room, but without changing their relative positions. They composed themselves, however, after a short dance, nor have they had any such vagaries since. I set out, notwithstanding, and reached London that evening, but not till the post was gone. This makes another day's retardation of that important letter more than I thought for when I put the last hand to that immortal work. What was the object of this extraordinary, and by me never-before-experienced interposition, I submit to your omniscience. What momentary consequence may be the result of the retardation above-mentioned, remains yet to be revealed; in all other respects, the world, as far as I can see, goes on as if nothing at all had happened.

"Stung to the quick by your reproaches, I have ever since been hard at work upon Ovid, in hopes of fetching up my lost time, and picking up some little gleanings of that art which I am so much a stranger to; but it is so long since I learnt Latin, I can't make head or tail of it, for want of Lord Henry to consult, who has it by this time at his fingers' ends, having mastered the Tristibus when I had the honour of seeing him this time twelvemonth. Was it in the original that you read it, or what translation would you recommend? Could not you spare me your own copy for a little while, putting a few marks in it to guide me to the instructive passages; distinguishing for example by a dagger † the *honest* arts, and by a star *, or constellation of stars, those, if you can find any, that would enable me to *succeed beyond expression*? Then there might be some hopes for me; for, alas! I feel but too plainly it is impossible for me to make anything out without your assistance. Well, now, a thought has come across me that makes my heart sink, and almost sets the chairs and tables a-swimming again. This beautiful Italian that has scarce been out of my hands, and never out of my thoughts, since it arrived, is but a translation from the Runic! the hand, indeed, is angelic; but the apparition of a cloven foot behind the curtain haunts me so, you can't imagine. Come, now, I will tell you

what you should do: The honest and the handsome thing would be to steal half an hour when you know nobody knows anything of the matter, and tell me of the violences that were practised upon you to make you write this; and which part, if any, you adhere to, and which part you disavow. Tell me how long you were kept without food before you would comply, and whether it was in your own apartment in the Harem that you were confined, or in the one formerly occupied by my friend the Tiger.

"It is not a small matter, as I have occasion to know, that will subdue you: witness the persecution you underwent at Worcester, rather than read a page or two of a language which is the same to you as English. But be sure disavow, at any rate, the superlative about Mr R., and above all things if it was genuine. I called at his chamber-door as soon as I had sent to Lord W., in order to look him through and through, and measure the degree of his success by the firmness of his tread, the loftiness of his head, and the self-complacent security of his countenance. But his recollections and his prospects were too delicious to be exchanged for any sort of company; for though the porter told me he had just let him in, his door was shut, and all the poundings and kickings were in vain."

Another letter to the same lady:—

"I am smitten with remorse at the thought of having, in one of them, brought back to your recollection something that passed at Worcester, not considering, simpleton as I was! that however delightful the recollection was to me, it might be otherwise with you. You would remember only the being teased, while I thought only of the unwonted kindness with which you contrived to soften its refusal.

"I beg, with folded hands, you would not let another post go out without telling me, either that I have not offended, or that, if I have, I am forgiven."

And another:—

"I beg pardon.—I had quite forgot the papers you had the goodness to send me; you never told me how they fell into

your hands. Did you pick them up from the ground anywhere?—or did — bring them to you? She has a real kindness for me, poor creature, whenever she dares show it, notwithstanding some insinuations that have been circulated to the contrary in very shocking terms. Last Autumn, when Bowood was turned into a desert, and we were left almost alone together, we grew very fond of one another, and came to a thorough explanation,—nothing more conciliating than sympathy in sorrow. But do not let it go any further, for poor Timon's sake.

"I am growing more and more savage every day. I begin to moralise, and talk about the sparks flying upwards. I have known dogs that, if you spoke to them and offered them a bit of the breast of a chicken, would turn and growl at you.—I am exactly in this case. It was but t'other day I spoke to puss, the only person I ever see, in so civil a manner; she went into hysterics. I feel my forefeet drawing nearer and nearer to the ground,—as soon as the grass is got up a little, I shall take to eating it. Does Lord H. propose to have a menagerie when he goes to —; I forget the name of his place,—I believe it's Winterton? If so, and the dens are not all engaged, put in a word for me, pray, and bespeak one of them for me, to keep me in. He need not put himself to the expense of a chain, I have had one by me these ten years. I won't bite you; indeed I won't, though you should put in a hand, and give me a pat now and then through the grate. If anything could keep me upon my hind legs a little longer, it would be the sight of a few lines now and then, such as those that were written to the jewel-man; but put me in the inside of the letter, so that nobody may see them but myself.

"Hands which were made never to be kissed, were made to be snapped and snarled at. What is on the other side was delayed in the hourly expectation of being able to fulfil the promise to Miss F.; the interval has given room to a sort of half repentance. The sarcastic disdainfulness which drew forth so snarling a reply, was a just punish-

ment for bragging. I have accordingly struck out, beyond all power of deciphering, the three or four most snarling lines. Thorough prudence would have condemned the whole to the flames. The half prudence, which is all I am as yet able to rise to, comforts itself under the consciousness of saying and doing foolish things, by the thought of the penetration displayed in the discovery of their folly. If ever the time should come, when one J. B. is able to write, or speak, or behave to a Miss F. or a Miss V., as he does to others, or as others do to them, it will be a sign that the reign of attractions and fascinations is at an end, and that F. and V. are become no more than A. B. or C. The task is rather a severe one; but as endeavours are not wanting, success may at last attend them."

An answer to an invitation to Bowood, is thus given:—

"In humble imitation of the fair objects of my adoration, I will try for once whether I cannot write a letter, discreet, guarded, and short as theirs is: dropping in, too, on my part, the word gratitude, which in my dictionary has a little more, and a little warmer meaning. I hope to kiss the fair hands, and take the gouty ones between mine, with due regard to their respective sensibilities, on Saturday or Sunday."

The following letter is an agreeable satire upon our libel law. It was sent to Lord Lansdowne, professing to be intended for the editor of *The World*—and a second letter, written to Lord Lansdowne, pretending that the epistle "To the Conductor" had glided by mistake into the former envelope:—

"To the Conductor—

"In page 3 of my letter, line 5, *political Foxical*, dele *Foxical*, I doubt it is hardly safe; or blank it thus, F—ical. You can insist upon it to the jury, that it is as likely to have been intended for *farcical*; and Lord Kenyon, as well as Lord Mansfield, leaves it to them to determine upon the innuendos. See what Eitherside says to it, the next time he comes to you for a dinner: give him a bottle extra, and he will be satisfied; considering the obligations he is under to you, he can't insist upon a fee for a

question like this, that lies in a nutshell. If he thinks this won't do, turn to your Priestley's chart, and take the name of any dead politician you find there: or suppose you put it *Shelburnical*, it will be more *piquant*; and there can be no danger in it, either in the way of action or indictment: there being no such person now *in rerum naturâ*; such at least is my opinion; but it is your concern, not mine, and I suppose you will be ruled by Eitherside.

"Don't forget to send me back Miss F.'s as soon as you have done with it; but don't print it till you hear further from me. As to the additions you propose, put as much Birmingham in it as you will, that's your affair, provided you make me the same acknowledgment as for the sterling; let me tell you, sir, these are things that don't turn up every day, and I expect to be considered accordingly. The more additions, the more violently I can protest in general terms against the genuineness of it: then you produce scraps of the original, in proper time, in the state they were found, to any gentleman that knows the hand, and will call at the office, &c. As to Lord L.'s, you may have a hamper full of them if you please: but they are a drug in comparison of this. I really cannot bate a farthing of twenty, which, with the additions, will make forty. The V.'s are yours upon the same terms: genuine original V.'s, you rogue, you. I allow these are not quite so political; but then, you know, there are so many of the same name, it will set all the world in an uproar. The first you will have upon your back is the Maid of Honour; then there will be such confusion and explanations:—take my word for it, the Munro and Stackpoole affair won't last half the time. You know how low it is with you; nothing less than a stroke like this can save you. Mind that the advertisement about the loss of the trunk appears in proper time; if you bungle this, all the fat will be in the fire. In other respects, times and seasons I leave to you: perhaps, as you say, it may answer better to wait till the public are grown cool about the Munro business; but that's no reason why I should wait

for a compliment I am so well entitled to. When a gentleman risks his character to serve such dogs as you, he ought to be considered accordingly.

“P.S.—If you take the V.’s, as good a way as any of marking the persons, when the time comes, without committing yourself, would be to print Horace Walpole’s verses on them, out of the *Annual Register*, for the next paragraph.”

Some of Bentham’s correspondence of this period with France, throws light upon the passions which so soon broke out in such ungoverned fury. One letter from Paris, of the 12th November, 1788, says:—“Our great men are exasperating the nation by language which cannot but make them unpopular. One Grand Seigneur,—and what is worse, one of the notables,—said the troops did not fire on *the people*, but *only on the populace*,—a distinction with which people and populace are sufficiently exasperated. Our debates are carried on as barbarously as in the time of Charlemagne,—our national character seems opposed to sedate deliberation. We have little moderation in our expressions, and less logic in our reasonings. We are too impetuous and too vain. Every one seeks to display his talent (*esprit*,)—nobody seems to think about enforcing conviction. As if we had not enough to do with a few great and grave matters, only think of Necker’s submitting to the Assembly from fifty to eighty questions, any one of which would require an age of time, and a legislature of Solons to solve,—and he says, ‘Answer them all in a few weeks.’ You are celebrating the centenary of your public liberties. Noblest of Te Deums! Would we had such to celebrate,—but we dare not even to announce the celebration of yours! The censors struck out the notice from the *Mercure*. There seems no bound to our wanderings. It is indeed but the French history of the past. Brittany is amusing herself with a riot,—the nobility and the *tiers état* with mutual recriminations of abuse. The court is appealed to for troops to enable one province to come to blows with another. Béarn is loudly clamouring for separation. Paris is full of

pamphlets and pamphleteers, who and which only entangle more the too much entangled question. Some demand the pure democracy of Appenzell,—others a tyrant king and a free people. Everything tends to detach and to alienate,—nothing to unite. M. Delacretelle announces that, ‘France is about to give the noblest lessons to other nations.’ So be it,—but let me shroud myself in silence.”

Bentham was originally introduced to Brissot by Dr Swediaur.

“Brissot,” he said, “was a little weak man, ignorant of the world. He would establish a Lyceum, and that Lyceum consisted of M. Brissot, Madame Brissot, and your humble servant. He married, having nothing to maintain a wife with. She was a pretty Frenchwoman. His influence was due to a great fluency in writing. He kept up a daily newspaper himself. It was a mighty small thing, but he could be depended on; and he became the organ of a party that could depend upon him, and depend upon nobody else. He really erected a public-opinion tribunal of his own which raised him to be the head of his party. His conversation was not remarkable. Poor fellow! I had occasion to mortify him more than once, by opposing his plans. He brought me a literary project, in which one Mirza, a Persian gentleman, was to shine. I did not know it was his, and laughed at it—but he took it in good part. Once I was sitting in a chair at one end of the room, and I said to him, ‘Ayez la bonté de—’ He said, ‘You are not a Frenchman, and may be forgiven; but a Frenchman would have said, ‘Voulez vous avoir la bonté’—but withal he was a good-natured, gentle creature. We used to talk of terms of locution. I suggested to say the word *champ* for *field* of thought and action, but he would not listen to it—it was not Français.

Brissot was guillotined in 1793. He was undoubtedly one of the most disinterested of men: distinguished among a generous and enthusiastic band, who were as pure as they were poor, and who, possessing all the resources of a state, turned none of them aside for any

sinister or selfish purpose. Their devotion to the cause of liberty was as impassioned as their affection for one another. Who can forget the trait of the young republican, Girey Duprey—who, knowing that to confess his connexions with Brissot, would bring with it the punishment of death, boldly declared before his judges, that he honoured the character of his martyred friend, and shared his opinions; and added, “He lived like Aristides—and died like Sydney!” It was of Brissot that Madame Roland said that, “Under despotism he advocated freedom—amidst tyranny he fought for humanity. The best of mortals, an excellent husband, a tender father, a faithful friend, a virtuous citizen, gentle and easy, confiding even to imprudence; gay, frank, ingenuous as a child of fifteen years; fit companion for the wise, fit dupe for the wicked.” This, however, is a far more flattering character than is drawn of him by Dumont, who knew him well, and who asserts that though neither the thirst for riches, the struggle for office, or the love of pleasure, had power to corrupt him—he was under the degrading influence of personal vanity and insincerity; and that to the claim of party, he sacrificed the claims of integrity.

I have extracted from Brissot’s letters to Bentham, a few passages which appear to me the only ones worth preserving. Most of the correspondence refers merely to the interchange of mutual services, such as the sending of books, newspapers, &c. They are here brought together, instead of being dispersed in conformity with the chronological arrangement of the work, as they rather illustrate the feeling which these two great men entertained towards each other, than bear on any particular events in Bentham’s life.

BRISSOT TO BENTHAM.

(Translated Extracts.)

“Saturday Morning,
“January 25th, 1783.

“Will you forgive me for breaking my word?—I was tied and chained by duty,—and sorely regretted that I could

not fly to the rendezvous. I felt more than ever the disadvantage of living so far away from you, and from all the literary helps that London would furnish—and hence I must change my abode within a month. But I must finish a work I have undertaken, and it will be finished in a week. Accept my excuses, and make them acceptable to Dr Swediaur, whom I am ashamed and *desolé* not to have seen. The weather is frightful. It is impossible to get out.”

“July 8, 1783.

“I will not conceal from you the motive of my journey to Dover. I am married; but to this hour, and for many reasons, my marriage is a secret. *Mon amie* comes to meet me in London. I was to have met her at Dover; but other reasons keep me here. I expect her daily—momently.”

“14th July, 1783.

“There is, my dear colleague, in your letter, a tone of dryness and drollery which grieves me. I have been separated from *mon amie* for fifteen months, and you do not forgive me for setting aside, for a few moments, books and commissions. You have, then, never loved me,—me whose sensibilities mingle with legislation itself. I am less severe.”

“Boulogne, 12th November, 1784.

“For the services done to you, I shall, from time to time, have to ask others from you. In consequence of the new arrangements which I have been obliged to make with the government, I shall only be able to pass three or four months of every year in London. I am, therefore, obliged to abandon my London house. I shall tell you all this when I have the pleasure of seeing you. I thank you, beforehand, for all the interest you have shown towards me, and my misfortunes. Answer me here.”

Project for the Translation into French of the best English Books on Constitutions and Legislation; and for the Translation of that of Mr Howard on Prisons.

“Some individuals, either opulent or instructed, but all desirous of promoting

public instruction, are about to associate for the translation, printing, and circulation of the best books on Constitutions and Legislation. Some will give their labour, others their money. Mr Howard's book on Prisons will be the first. Any individual undertaking it alone, and paying the expenses, would undoubtedly be a loser. The reasons why good books are not translated in France is, that a Romance or a Journey has more attraction, and is more profitable. Two individuals, tolerably rich, are willing to subscribe a certain sum. Will Mr Howard himself contribute, if their names, and the name of the translator, are communicated to him? I should have written to him; but from your intimacy, I hope you will propose the plan to him, especially for his own work."

Endorsed, "Copied and sent to J. Howard, Friday, November 26, 1784."

"Boulogne, 30th November, 1784.

"Your regrets on my future absence have much touched me. They prove your friendship. Mine is not less than yours; and sorry I am not to have better profited by your knowledge, during my stay in London. Next year I shall repay myself, for I shall spend three or four months in London, and see you often. If what you say is true when you quote Scripture, I may flatter myself to be much loved, for I have been cruelly persecuted. I read a part of your letter to my wife, who was enchanted with it, and who entreats to be recalled to your regards. Our child does well. These are my two consolations; for I have had many sorrows. Adieu, my friend—continue your friendship to me—write to me—employ me.—I am—I shall always be—entirely yours."

Brissot's opinion of Bentham is thus given:—*

"There are two men whom I would except from the proscription pronounced by Magellan against the English—these

are Jeremy Bentham and David Williams. Reader! has your imagination ever attempted to trace the portraits of those rare beings, whom Heaven sometimes sends down upon earth as a consolation for woes, who, in the form of imperfect man, possess a heavenly spirit. Have you ever pictured to yourself, for instance, Howard or Benezet, whose traits were, candour in their countenances, mildness in their expression, unruffled brows, calmness in speech, quiet in their motions—impassibility and sensibility united,—all these belong also to my friend, Bentham. He one day gave me a description of himself whilst describing Howard. Howard had devoted himself to the reform of prisons; Bentham to that of the laws which peopled these prisons. Howard only thought of prisons, and occupied himself about them alone: for that he renounced all pleasures, and all other sights. Bentham followed this noble example; yet there was one blessing which, in Howard, soothed the agonizing feelings of his soul, caused by the horrors of dungeons, which Bentham did not enjoy—he was married; but this circumstance ought only to raise in our estimation the sacrifices made by this Angel of Peace. Howard tenderly loved his family, and, when on the point of quitting it for any length of time, in order to familiarize himself with the loss, he separated himself from it a fortnight beforehand, a week of which he spent in solitude, when, just before his departure, he returned home to enjoy some hours with his family.

"Bentham only knew me through an act of injustice on my part. In my Theory of Criminal Law, I made light of a very profound essay he had written on the 'Punishment of Hard Labour in Houses of Correction:' having learnt my address, he came to give me his name, and state the grounds of his opinions. His calmness and coolness altogether confounded me: how little I seemed even in my own eyes! He promised me his friendship and counsels, which I had requested. I often went to see him in his obscure retreat in Lincoln's Inn Fields. Here I must state, that those persons who are destined for the English Bar,

* Mémoires de Brissot, publiés par son fils, avec des notes par M. F. de Montrol. 4 vols. in 8vo, Paris, 1830. Vol. ii. p. 253-557.

take chambers in those parts of London, which are specially reserved for lawyers.

"Bentham had applied himself to the study of this profession, not for the sake of the profit or honours, but that he might be made thoroughly acquainted with the defects of English jurisprudence, and penetrate that labyrinth which is inaccessible to those who have not made it a particular study. He wished to reveal its vices and defects, which the legal men of that country shrouded in the greatest mystery, that they might live on these abuses, and the ignorance of the people. After having penetrated the depths of this abyss, before proposing any methods of reform, he wished to study the criminal jurisprudence of all the other European nations; and, however immense the undertaking might be, it could not impede the progress of a man whom love for the public welfare had excited.

"These Codes, for the most part, were only to be found in the languages of the nations to whom they applied. Bentham, therefore, successively acquired the knowledge of all those languages. He spoke French thoroughly, knew Italian, Spanish, and German; and I saw him study Swedish and Russian.

"As soon as he had waded through the rubbish of these Gothic laws, and collected his materials, he attempted to form a systematic plan of criminal law, founded entirely on reason, and the nature of men and things. It was to this great work, that, for ten years of his life, each day was devoted. He was as regular in his habits as Kirwan: as soon as he had risen in the morning, he took a long walk of two or three hours, when he returned to his solitary breakfast; he then applied himself to his favourite work until four in the afternoon, at which hour he always went to dine with his father. Although his father was rich, Bentham lived in a very economical manner, in order that he might have greater means of satisfying his ruling passion—love of books. I cannot but regret that the result of so much labour has not yet been made public; his journey, and lengthened residence in Russia,

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may perhaps be the causes of this delay. Nevertheless, all enlightened men must have duly appreciated the talents and sentiments of this benefactor of his race by his 'Panopticon;' a work which ought to immortalize his name, and which will do so, whenever humanity, fixing its attention on the state of prisons, shall bring into request the only work in which is to be found the secret of reforming men's dispositions, without the use of pains and tortures, and without abusing them.

"Bentham looked with pleasure on our revolution: he watched its progress, and, wishing himself to participate in it, he more than once took up his pen, with the view of directing our steps.

"All must remember his excellent work on the 'Organization of Courts of Justice,' which he addressed to the Constituent Assembly, of which the Marquis of Lansdowne sent one hundred copies in his name. He was barely thanked for it; and when Laroche-foucault Liancourt moved that it should be translated, Sieyes (who despotically ruled the Committees of Constitution and Jurisprudence, and who did not share in Bentham's views, perhaps because he was not the originator of them) was the cause of the motion being lost. Bentham, not at all discouraged, wrote another essay, as clever as it was profound, on the easiest way of learning, without tumult or insurrection, the public opinions. This pamphlet is almost unknown; and no one has profited either by his views or the experience which he had gained from the practice of the House of Commons. Nevertheless, near the close of the session, on the motion of the Extraordinary Commission, of which I was president, the Legislative Assembly gave some mark of its esteem for him, by conferring on him the title of French Citizen. The Convention has since passed another decree as honourable to Bentham as the preceding one: it was on the occasion of his sending his 'Panopticon.'

"But it was not by rewards such as these that this benefactor of his race was most exquisitely pleased; it was by acting upon his ideas, which it must have

been his greatest sorrow to have seen buried in oblivion." *

Brissot estimated his own "*Traité de la Verité*" very highly. It was, according to his judgment of it, his master work. He fancied that in it (see his criticism on it, *Mém.* vol. i. p. 326-29) he had "descended to the foundation of all the sciences,—tested their solidity,—established their relations,—tried them in the crucible of truth." It is a book which he avows "must make those who read it better men." "It had created happiness for himself, as it would for others. It had sensibility as well as reason to recommend it." "It was written under the inspiration of love,—while full of the resolutions of virtue—full of the Divinity, whose kindness I recognised : while under the influence of these varied feelings, I composed my work."

To an ambition so flattering and far-stretching, the volume on Truth most assuredly does not respond.

Bentham's "Introduction to the Penal Code"† was at this time communicated to George Wilson. He speaks of it (Nov. 30) with unwonted enthusiasm:—

GEORGE WILSON TO BENTHAM.

"MY DEAR BENTHAM,—It has been for many years a subject of great regret

* "A few years ago Jeremy Bentham was at Paris, and we had, therefore, the means of judging that the above description, by Brissot, is in nowise exaggerated. The highest virtue and grandeur of soul were never more openly depicted by a more noble countenance or venerable head; nor the greatest reputation ever more justly merited. Bentham must not only be considered as the most profound jurist of any age, but also as a philosopher whose writings have most enlightened humanity, and assisted the cause of liberty in our own time. For an acquaintance with the most important of Bentham's works, France and Europe are indebted to Etienne Dumont, who is recently dead; for, however remarkable it may be, Bentham's '*Tactics of Popular Assemblies*,' and even his '*Theory of Rewards and Punishments*,' published in French by Dumont, have not hitherto appeared in the language in which they were originally written. It would appear as though it were sufficient for him to see the increase of intelligence and general good by his writings, whilst he disclaimed to attach to himself all the glory of it."—*Mémoires de Brissot*.—*Ed.*

† The work formed what was afterwards published under the name of "Introduction to the Principles of Morals and Legislation." See vol. i. of the works.

to me that you have been spending your time upon subjects on which many people are able to write sufficiently well, while there are so many other subjects of great importance, to which nobody else, that I know of, is at all competent.

"I think all our quarrels, and the constant and intemperate opposition which I have given to your late attempts at publication, are owing to this sole cause. I am led to these reflections by having accidentally looked this morning into your Introduction to your Penal Code. It grieves me to think that so much excellent matter should be either lost or forestalled—you are not likely at present to complete that Code; but is it impossible to publish the Introduction by itself? It is not unusual to publish part of a book; and why not this part, which, though called an Introduction, contains a system of morals and general jurisprudence infinitely superior to any extant? I am convinced it would raise your reputation more than anything you have yet published; and that reputation, besides being a gratification in itself, will add greatly to the weight of whatever you may write hereafter on temporary subjects. It can be done without expense, or rather, it is the only way to recover an expense already incurred. I will therefore propose to you three things—1st. To finish the Introduction; 2d. To finish the chapter on the Division of Offences, which in my copy ends at 9—12; 3d. To publish the fifteen chapters ending with [Properties] which contain 200 pages, and would make a reasonable volume. The last proposal would give you no other trouble than writing an advertisement to account for the appearance of part of a work. You may say that other pursuits have prevented, and are likely for some time to prevent your completing it, and therefore you publish this part which is sufficiently detached, and was printed off some years ago.

"I think the best way will be to publish whatever is finished, but not to begin to write anything new; that you can do afterwards if the subject and the success please you. I hinted at the danger of your being forestalled,—by which I do

not only mean that other people, by the progress of reason, may make the same discoveries,—you know there are stray copies of your Introduction abroad, particularly that you gave to Lord Ashburton; others, which are now in safe hands, may, by death, get into those which are not safe. I have often been tempted to think that Paley had either seen your Introduction, or conversed with somebody that was intimate with you. There are many things in his book so like you, and so out of the common road, that they cannot be the production of the same person who wrote other things in the same book which are really puerile.*

“Did not you send to Dunning more than I have, and also the titles of the remaining chapters?—if so, publish to the end of the last complete chapter already printed, and add those titles, if you have a copy of them; this will avoid the unpleasant task of requiring to write on a subject which is not at present interesting to you, and which, if you were to begin it, might lead you further than I wish at present. I have really this matter very much at heart, and shall be much mortified if you don’t consent.”

Romilly writes on 3d December—

ROMILLY TO BENTHAM.

“I have sent the ‘Observations,’ &c., to Mr Dumont with your last letter, and a request that he would return them to me as soon as he conveniently can. When I get them, am I immediately to send them by the post, or are they to be returned to you for your approbation of his proposed alterations? With respect to *immutable*, permit me to say, I think you triumph without much cause. I ventured to assert that there was no such word in the French language; upon which you observed, that then there ought to be—to which I readily agreed. The arguments you use are very conclusive, and prove the latter of those

two propositions, but by no means go to prove the first; and, indeed, a very short transcript from the Dictionary of the Academy, which you hold in so much contempt, from Richelet, Chambaud, or even Boyer, would have proved more as to the fact (which alone was in dispute) than the most ingenious arguments. I believe the truth is, that ‘*immuable*’ is used by the French for *immutable*, and that *immobile* means both *immoveable* and *motionless*, and that there is no such substantive in the French language as *immuabilité*, but that *immuable* is the adjective, or, as you call it, the concrete idea, and *immuabilité*, the substantive or abstract idea; but I have no good dictionary to refer to, and very possibly am wrong. If I am right, I confess it is an absurdity in the language, which the French will have obligations to you if you correct.—Yours, very faithfully,

“SAML. ROMILLY.

“*Gray’s Inn, 3d Dec. 1788.*”

The following extracts from letters from Lord Lansdowne have considerable interest:—

LORD LANSDOWNE TO BENTHAM.

“*Exeter, 3d January, 1789.*

“DEAR MR BENTHAM,—As long as you honour me with your friendship, you may treat the house to which I belong with every freedom you think proper. It is a fruitful subject, and I don’t think it is in the power of your ingenuity to hit amiss. I am very glad to hear that you intend taking up the cause of the people in France; nothing can contribute so much to general humanity and civilisation as for the individuals of one country to be interested for the prosperity of another. I have long thought that the people have but one cause throughout the world—it is sovereigns who have different interests: besides, we owe it particularly to the French; for I take it, that the Constitutions of both countries were very much the same till Cardinal Richelieu took the lead in one, and the Stuarts, happily for us, in the other. Was not there a time when the clergy made a third estate with us?

* Compare Ch. xii. of Bentham’s *Principles of Morals and Legislation* (works, vol. i. p. 69) with Paley’s *Moral and Political Philosophy*, book ii. Ch. 6 and Ch. 8.

I have been surprised that learned men in France have not made a point of examining the progress of this and other questions in our history, more correctly than they have done."

"*Saltram, 20th January, 1789.*

"DEAR MR BENTHAM,—First, as to your attack upon my hand-writing, it is not my fault. I was very ill educated, and never learned to write. The people I have envied most through life have been those who can write well, and yet write so carelessly, that Lady Lansdowne, Miss V——, and myself are sometimes half-an-hour making out a particular word; but I can't express how much I am obliged to you, when, though you compare the number of words to a bill in Chancery, you don't compare the stuff also to one, but, upon the contrary, are so good as to say, that two sheets of mine have half the stuff of one of yours. You have a proof that your ideas are never lost upon me, by producing them at ten years' distance. If I did not quote you to yourself, you may be sure that I shall be proud to quote so great an authority to everybody else, as I hope to have your sanction upon the other subjects you mention—such as colony-holding, the invasion of Holland, the Swedish Declaration, and the Turkish war, of which I am afraid it is too true that we have the merit of contriving. No wonder that the whole island, from the Land's End to the Orkneys, should join in lamenting the event which has checked such a progress of glory. I was at a loss where I took up my ideas in opposition to the general sense: but I now find the fountain, and am confirmed in them in consequence. But I cannot help thinking that you do not give a very good reason for turning Republican, when you say that the two Republican parties, the Foxites and the Pittites, join only in what is unjust, unprincipled, and impolitic. Seeing this happen, as I have done upon other questions, viz. the East Indies, where they only joined in covering every villain, and prosecuting the only man of merit from thence, has a very different effect upon me, and exhibits a problem regard-

ing Government, which requires all your acuteness to investigate. In the meantime, if I should venture at any time to attempt to stem this torrent, or to expose these doctrines, will you take the writing part upon you, if I take the speaking part?—that is, though I don't speak better than I can write, I look upon it as the service of most danger, as times go, and therefore it is fit that the talents least worth should be applied to it.

"As to Monsieur Du Chatelet, I apprehend it must be the same who was ambassador here, in which case you had better avoid the communication you mention; for he is a narrow, peevish, vain man, and not likely to take it properly. What you mention of him is the natural *inconsequence* of a French character.

"I take it, what lies at the bottom of all our great proceedings, is, that we conceive France to be at our mercy: which is as weak as it is cowardly; for what nation did ever become less capable of military exertion instead of more, after great civil commotions? If we don't go to Lisbon, I hope you will come and hide yourself here, as soon as you have published, instead of that miserable cottage, which the ladies say cannot be to answer any purpose but that of some low intrigue. I am again at my two sheets, but if they contain as much as half of one of your pages, I shall be quite content."

Lord Lansdowne wrote several times to Bentham, urging him to accompany him to Lisbon, whither he and his family were bound in search of better health for Lady L.: but as her health improved by the visit to Devonshire, the voyage to Portugal was abandoned. Bentham thus writes to Lord Wycombe:—

BENTHAM TO LORD WYCOMBE.

"*March 1, 1789.*

"MY DEAR LORD,—I owe you many thanks for a pleasure that was not originally designed for me,—your father, partly out of kindness, and partly, as I tell him, out of vanity, having taken me into the Cabinet circle, through which certain letters have gone the round of travelling. I have been praying double

tides for Lady L.'s recovery, not on her account, nor your father's, as you may imagine, but that my constancy and wisdom may not be put to the trial by a repetition of the summons to form one of her escort to Lisbon. At your age I should have jumped mast high at the thought of such a jaunt: but now, what would France and the rest of the world do, if I were to desert them to go and dangle after other men's petticoats at Lisbon?

"The finding your whereabouts has put into my head a project for appointing his son my ambassador extraordinary and plenipotentiary to Madame Necker; and accordingly I do, by these presents, constitute and appoint you, &c. &c., my said ambassador at the court of the said lady, for the purpose of presenting at the toilette of the said lady—not a pincushion, but a project of a pincushion of my invention for sticking motions on, for the entertainment of the *Etats Generaux*. You are to know that, for these five or six months past, my head and my heart have been altogether in France; our own affairs, I think no more of them than of those of the *Georgium Sidus*. I am working as hard as possible on a treatise on the conduct and discipline of political assemblies, under the short title of *Political Tactics*; dissecting the practice of our two Houses, for the instruction of their newly created brethren; having taken out a license from your father for cutting and hacking without mercy. I am labouring might and main to get out some of the most essential parts at least time enough for their meeting. It was in the course of that inquiry that I hit upon the project above-mentioned, too simple and obvious to claim any merit on the score of ingenuity. I accordingly take the liberty of troubling you with some papers, designed to form, with little innovation, so many chapters in the above work, though they would not follow one another in immediate succession there, as here. Which of them shall be presented, and in what order, I beg leave to commit to your discretion.

"I attempted t'other day to let off two squibs for the benefit of the Tiers,

but they both hung fire,—one from causes that I am apprized of, what became of the other I don't know. They were in my own dog-French; one of them was afterwards Frenchified by a reverend gentleman at L—— House, without being applied to by the landlord, or knowing who was the author, till after he had given his opinion,—which, in respect of the language, was none of the most encouraging. Poor dear Tiers! I hope they will now do pretty well without me. Considering the nurse they have got, I hope my younger brethren of the —— will be able to stand on their legs without me.

"I have got as much *soi-disant* French as would reach up to my chin, and now I am to be condemned to translate it into English. This is what your father, who has never seen any of it, modestly advises me; and so I believe I shall, notwithstanding, as I have a suspicion he is in the right. Poor man! he has been wearing the ends of his fingers off in writing to me and for me. He puts me into the hands of a *quidam*, who is to get my English, somehow or other, into French. I send him by this packet my *Usury*, and by the next, or next but one, a great quarto volume of metaphysics, upon *Morals and Legislation*, which had been lying imperfect at the printer's ever since I have had the honour of knowing you, and before, till t'other day that I took it out, and put a patch at the end, and another at the beginning. You may see the outside at the Abbé's; but I sha'n't send you a copy, because the edition was very small, and half of that devoured by the rats; and God knows when I shall have time to make the alterations necessary for a second edition, if called for; and I have none to spare for naughty boys who run up and down the country playing, and don't read."

In a letter of Lord Lansdowne, dated 29th March, 1789, he says,—

"The King of Sweden is going on at a rare rate, without making the least account of your indignation or mine. I don't believe he knows it. I wish you would make him sensible of it, for which there is but one way—that of appealing to the public opinion of Europe. If the

people of different countries could once understand each other, and be brought to adopt half-a-dozen general principles, their servants would not venture to play such tricks. I hope, when you have given France a legislature, you will suffer nothing to interfere, and prevent your pen from enforcing these principles."

Among his adventures of this period, he mentioned that he was once robbed on Turnham-green. "A man stopped the carriage, and dashed his pistol through the window of the carriage, and, with a volley of oaths and imprecations, demanded our money. One lady fainted, and saved her money. We were playing at cards. There were some halfpence which were put into his hand. He flung them down, saying—'D—the halfpence.' He took from me 3s. 6d., and no more; so I purchased the adventure at a cheap rate."

Bentham sent his work on the *Tactics of Political Assemblies** to the Abbé Morellet, to be published in Paris, accompanied by this characteristic Letter.

BENTHAM TO THE ABBÉ MORELLET.

"*Hendon, Middlesex,*
"*February, 1789.*

"SIR,—I am the Bentham mentioned by Lord Lansdowne. He bids me send you all my children. I send you the last; but only to look at, not to dress in a French jacket. It's elder brethren waited on you of their own accord many years ago. A much larger I hope will follow, (by the next weekly packet but one,) for the which, and other particulars, I beg leave to refer you to a letter that goes by this packet to Lord Wycombe. What Lord Lansdowne attempts to trouble you with, is a Treatise on Political Tactics, containing principles relative to the conduct and discipline of Political Assemblies. It will be impossible for me to complete it time enough to be published before the meeting of the *Etats Generaux*, for whose use it is principally designed: but I hope to be

able to despatch, by that time, such parts as seem to be of most immediate and essential importance. The favour I am a suitor for at your hands, is that you will get some disciple of yours to translate it into French, and publish it: the more you put into it of your own, either by correcting his translation, or subjoining a note to correct any mistakes the author may have fallen into, or, in short, in any other way, the more, of course, I shall feel myself honoured and obliged.

"As something must be understood relative to terms, what think you of the following? The author to provide for the expense, either by eventual engagement, or, if required, by previous remittance, and the real profits, if any, to be equally shared between him and the translator. As I have been, and shall be at the expense of near £100 sterling, in books bought to be consulted for this purpose, I think there would be no harm in my getting back a part of the money if it should so happen; but for this, as well as everything else, I beg leave to commit myself entirely to you. Would a small edition in the original English be likely to find readers? I should be very glad if it would, for I never saw an English translation that I could bear to read: and it was that consideration that set me upon writing such piles of barbarous French, as I have written to my great sorrow. In this event, the author's having three-fourths of the net profits, upon the English (he standing as before to the expense) seems as reasonable as that he should have one-half upon the French. The greatest part is already in my dog-French, and now I have the pleasure of translating it, or rather rewriting it into English.

"Lord Lansdowne has sent me your two pamphlets—the King's Answer to the Prince's, and the *Strictures on the Composition of 1614*. But I hope not to be beholden for any more of them to a third person. If you send them out in quest of an *estime sentie*, you can send them nowhere to so good a market, as by sending them to me. Few people, I flatter myself, think more together than you and I do. I made two at-

* Essay on Political Tactics. See *Works*, vol. ii. p. 299.

tempts to get a *push at the wheel* on the same side with you; but I fell down both times, and could not reach it; for which, see, once more, my letter to Lord Wycombe. I have almost written an essay on Representation, and the subjects are so connected, that there are parts which I hardly know where to put, whether in that, or in the Tactics. For instance—On the conjunction, or separation of the right of proposing, debating, and voting. On the division of a political body, into divers independent bodies. On inequalities in the relative force of votes. On the manner of voting—when it should be public, and when secret. The two first, and the fourth of these heads are already written in French, and the third nearly so.

“After laying down my principles, and deducing rules from them, and giving the reasons for each rule, I apply the standards, thus laid down, to the English practice. This I hope will help to make the book readable with you, and may possibly make some little sensation here, by a side wind. If I can manage matters so as to send you to the amount of about 100 8vo pages or so, by the end of March, I should hope they might be got out a few days before the meeting of the States.

“If you want British Spirits to put into Madame H.’s wine, instead of water, you may have some, if you can get the cargo from the person to whom it was consigned, for which purpose I enclose a letter to the C. de Mirabeau. But if he gives it up, you will be sensible of the propriety of his not knowing into what hands it passes; and for that purpose, you will instruct your messenger not to know who it was that sent him. Understand that I know nothing of him, nor he of me. It is a libel on the people of France for their attempt to saddle the nation with the Composition of 1614. Understand also that nobody revised the copy but the author, nor he beyond the 8th page, such was his fear of not being in time: on which consideration he gave *carte blanche* to his intended editor, whose experience in the *metier de fourbisseur* is well known. The other, which is a dissection of the Noblesse of Brit-

tany, you might get, without difficulty, from the bookseller, if it were worth while. He refused to publish it, even at the author’s expense; because, after the corrections it had undergone by a third hand, it was not sufficiently legible, and because it was too strong to pass the Censor, &c. &c. It is now, like the first, entirely out of date.

“I am, with the truest respect and esteem, Sir, your most obedient, humble servant.”

The Abbé Morellet says in answer:—“Light-minded and unreflecting persons cannot estimate the importance of the subject you have treated in your Parliamentary Tactics. It is an instrument by which the great victory will be won by reason and by freedom, over ignorance and the tyranny of bad laws and vicious constitutions.” He says he had visited both Necker and his wife to talk over the better arrangement of public discussions,—but they were so occupied with other cares, that they had no time to give the needful attention to so weighty a matter. He speaks of the violent animosity existing between Necker and Mirabeau: “Mirabeau has created against Necker a storm of indignation, by publishing letters meant to be secret, in which the Duchess of Wurtemberg, Prince Henry, and, what is still worse, many private individuals are so cruelly compromised, that in future nobody can trust him.” The Abbé urges Bentham in the strongest terms to write on the Theory of Representation—a subject, as he says, so much discussed and so little understood—but on whose solution depends the peace and happiness of society.

The letter which follows may be considered as the joint criticisms of Wilson, Trail, and Romilly on Parliamentary Tactics. It is wise and kind—much frankness and friendliness, allied with sound and solid judgment.

GEORGE WILSON TO BENTHAM.

“Tuesday night.

“DEAR BENTHAM,—You will think

our criticisms pretty numerous, severe, and perhaps sometimes a little impertinent. But the good parts require no observation, and civility is not always compatible with conciseness. There is much excellent matter in these sheets, and often great happiness of expression. The separation of the debate from the vote, and the speaking without order, are so important, that it seems impossible for a popular assembly to get on at all without them; and the omission of them is alone sufficient to account for the inutility of all former States in France.

"Everything relating to this subject you have stated extremely well. We had no idea before how much depended on the mode of proceeding in public assemblies. It is a part of our constitution, equal in importance to any, and, hitherto, unobserved. It is a great satisfaction to find that it comes out so well on investigation. The French seem to be much embarrassed, not only by their rage for instructions, but also by the mode in which they are given; for the election is complicated with the reduction of the cahier, and it seems to be that which has retarded the elections at Paris, of which we have got no account, though the States have met. If they will instruct, let them at least do it afterwards. I hope when you have disciplined these States, you will tell them how to elect the next, and how far their instructions ought to be carried and obeyed. But this part of your task is not so pressing. By the by, don't you think the terms Discipline and Justice as dangerous to the liberties of the Assembly as the word Marshal, which, in your first note, you are so afraid of? that note, and one or two other passages which we have remarked upon, are not equal in importance to the rest, and might, perhaps, have been shortened. There are occasionally great faults in the style—a fondness for parentheses, which tend much to intricacy and obscurity, and generally only seem to introduce some idea which would naturally occur to the reader; and if it did not, might be spared—and a passion for metaphor, which does not suit with a didactic work—and haste, too, has sometimes pre-

vented you from attending to the consistency of your figures. There is nothing after all like plain language, and simple unqualified propositions delivered in short sentences. We think there is too much arrangement, and that the reasons might as well have been put below the rule, as in a separate chapter. The present mode occasions repetition, and, we think, distracts the attention. The addition of the English and French practice is very entertaining and highly useful.

"In many places we have found fault without suggesting a remedy. To have done both would certainly have been better, but it is not altogether so easy; and to do half one's task is better than to do nothing.

"Yours sincerely,
"G. W."

The following is Bentham's answer:

"*Saturday, May 16, —89, Hendon.*

"DEAR WILSON,—Many thanks to you for your criticisms: the more you abuse me, the more you oblige me. Most of them I feel the force of, some of them my own conscience had anticipated. All the things you say should be done are done; but all things cannot be done at the same time, nor in the same place. That, for the learning of which you wish I had attended the House more frequently, I possess as fully as if I had been born and lived there. Do not suppose I ever lose sight of the softening which rules receive by practice. The importance of the want of order in sitting, I have seen in the same light that you do: but that head belongs to a preceding Essay.

"I accuse myself that I did not think to ask you to get me a sight of Dumont's letter, giving an account of the French Assemblies: think of it I did; but I forgot it again, and left you without doing it. I accuse you, that you did not put in a word for me immediately without asking; to revenge myself, and show that I am not like you, I send you one I have just received from the same place. You will suspect with me, that it is not quite so entertaining

to my friend the Abbé to see the practice of his country abused as it seems to be to you. You will grieve with me at the foolish and inconsistent step taken by Necker, in confuting his enemies, by stopping their mouths.

"You will see in the Abbé's letter an allusion to what I had said to him of the work of the Triumvirate. I had told him of the credit I conceived it entitled to, the use I hoped it would be of in France; the obligations I was under to it, adding that mine might serve as a supplement and key to it, as *that* did not enter into the *why* nor *wherefore*. Names I took care not to mention.

"The apparent inconsistency between my use of the words *tactics* and *discipline*, and my censure of the word *marshal*, struck me at first, as it was what had not occurred to me; but think again: you will find that the difference between an authoritative and an unauthoritative expression exculpates me. I might call him a drill-serjeant, or any thing; he would not be the more so for that: it would make no difference in his powers or pretensions; but whatever the *law* called him, such he would be.

"When you and Trail have read Morellet's letter, put it up in the cover in which I enclose it, sealing it with a common seal, and send it to Lansdowne House: for which place I take the opportunity of sending a packet.

"I have got a copy of Calonne's last *Lettre au Roi*, which is not sold. Have you, or Trail, or Romilly, a mind to see it?"

Romilly, writing to Bentham on the subject of his Political Tactics, says—

"I have read your Tactics with the greatest pleasure. All that is said about voting and debating at the same time, and about a right of pro-audience, is admirable. *On ne peut pas mieux.*"

In the year 1789, an attempt was made by Great Britain, or by the King of Great Britain, to break up the alliance between Russia and Denmark. The pretext was the restoration of the balance of the power, and the retention by Russia of Oczakow, which had been taken from the Turks by the Russians.

In the *Gazette de Leyde*, letters were written under a feigned name by George the Third himself, urging upon the King of Denmark the propriety of his breaking his engagements with Russia, and associating himself with the policy then pursued. A private communication of Mr Elliott our minister, at Copenhagen, to the Danish court, obtained publicity, and upon that communication, Bentham sent the following remarks to the Editor of the *Public Advertiser*:—

LETTERS OF ANTI-MACHIAVEL

TO

THE PUBLIC ADVERTISER.

LETTER I.

OBSERVATIONS on the *Declaration* presented to the *Court of Denmark* by Mr Elliott, British Minister at that Court, April 23d, 1789, showing the *causes* of the UNJUST and USELESS WAR into which the MINISTRY are endeavouring to plunge us.

TEXT OF THE DECLARATION.

Paragraph 1.

"I willingly acquiesce to (in) the desire your Excellency has expressed of receiving, in writing, the summary of those representations I had the honour to make you by word of mouth, by the order of the (my) court."

Observations on Par. 1.

Verbal discourses being capable of being avowed in one moment, and denied the next, avowed to one person, and denied to another, it was equally natural and prudent in the Danish Minister to desire to receive, in a form unsusceptible of falsification, a menace which exposes its own injustice to the eyes of Europe, particularly of the British nation, who may now see themselves upon the point of being plunged into a war, without object or pretence, for the purpose of carrying the menace into effect. The injustice and violence stamped upon the face of the composition of the British Court, are features which the minister of the insulted nation was sure to find in it, as being inseparable from the measure. The hypocritical grimace and affectation of gratuitous falsehood, with which it is so unnecessarily adorned, is so much more than he could have promised himself.

Text. Par. 2.

"Your Excellency will be pleased to remember, that at the instant that the King of Denmark yielded up a great part of his land and sea forces, as auxiliaries to Russia, his

Danish Majesty applied for the intervention of his Britannic Majesty, to reëstablish tranquillity between Sweden and Russia."

Observations on Par. 2.

The King of Denmark yielded up for that purpose not a man nor a ship more than he was bound to yield up, by an already subsisting and strictly defensive treaty; our great and good ally having attacked Russia, for the avowed purpose of compelling her to make a present of a few of her provinces to him, and a few more to the Porte.* Denmark, after employing entreaties and remonstrances without effect, unwillingly, and without any interest but that of peace, granted the stipulated succours. Those who had set him on, could, if they thought proper, take him off. Decency required that they should be applied to for that purpose, manifest as it was that the application would have been ineffectual. This application not having been made public, the purport and design of it can be spoken of only by conjecture. It was made not to Britain only, but to Prussia. The intrigues of the Court of London at that of Berlin not having been as yet consummated, justice from the lesser quarter seemed at first not altogether hopeless. The known connexion between Prussia and Great Britain, furnished an ostensible reason for extending to the latter, communications that had been made to the former; and frankness and publicity were suitable accompaniments to the upright and generous conduct of the Prince of Denmark.

Text. Par. 3.

"It is also with the liveliest sorrow, that I must recall to your Excellency's memory, that the Empress of Russia thought proper to avoid the mediation of the king and his allies; and that this refusal was the only cause of the continuation of hostilities, since his Majesty the King of Sweden had accepted, in the freest and most amicable manner, that offer from the three Courts, which were animated with the only desire of stopping the shedding of blood, and maintaining the northern balance."

Observations on Par. 3.

If two or more incendiaries were to enter into a conspiracy, and set a man's house on fire, it is natural enough that the owner of the house would not *think proper* to employ any of them to put out the fire, or to sit as judges, for the purpose of assessing the damages; and it is equally natural, that any of them should be ready to *accept* that office *in the fairest and most amicable manner*.

What purpose, but that of a wanton insult, could it answer to the contrivers or abettors of a plan of assassination, to profess themselves animated by the sole desire of stopping blood-

shed in the face of those who knew them to be the authors of it?

Setting one power to conquer provinces from another without pretence of title, at the time that other is labouring under the pressure of an unprovoked and unexpected war,† and then fettering the hands of those who owe her assistance; such, it seems, is to be the British mode of maintaining the political balance. If this is the way to maintain it, what would be the way to disturb it?

Text. Par. 4.

"Your Excellency has afterwards been witness that the king and his allies *have acted with energy, to give the most undoubted proofs that they thought the preservation of Sweden was of the utmost importance*, and that these courts mutually endeavoured to maintain a cessation of hostilities from the land and sea forces of his Swedish Majesty, which had acted in the military operations of the last campaign, and their endeavours had the most salutary effects."

Observations on Par. 4.

An Englishman who knows the facts alluded to, beholds the insolence, sees himself made a party to it, and does not burn with generous indignation against the authors of it, deserves to bear the impending consequence of it. Yes—with *energy* enough they did *act: proofs, the most undoubted, of their thinking the preservation of Sweden of importance*, they undoubtedly did give. The King of Sweden plunges his poor and thinly-peopled nation into a war, the most notoriously void of pretence of any upon record, in the teeth of the plain and positive letter of a constitutional law of his own framing, and to which he had sworn observance. His own army, faithful to the constitution, refused to be made the tools of tyranny and injustice. A memorable example, and may it never be forgotten in any country, and least of all in Britain! At this crisis, the Danish body of auxiliaries enters Sweden in a defenceless quarter, taking nothing, damaging nothing, hurting nobody, friends to the country, adverse only to its oppressors, and that only during the continuance of the oppression. The Swedish monarch, thinly accompanied, shuts himself up in Gotenburg, which the Danish auxiliaries prepare to invest. A few days more would have brought him to reason, and the peace of the north would have been restored. Alarmed at the danger, Prussia threatens with her armies, Britain with her fleets, and Mr Elliott, running backward and forward between the fugitive tyrant and the deliverers of his country, interposes what, in the language of Mr Elliott's court, is called a *mediation*. The hands of the Prince of Denmark, the common friend of Sweden and Russia, are tied up from keeping the peace; and the hands of the pensioner of

* See these demands, as exhibited in the official note of the Swedish minister at Petersburg, in the *Gaz. de Leyd.* of Aug. 12, 1788.

† Viz. with Turkey.

the Turks are let loose to prosecute his plan of unprovoked hostility and conquest.

As to the preservation of Sweden, had that been an object, no great exertion would have been necessary:—*not* to have destroyed her liberty;—*not* to have plunged her into a pretenceless war against a superior enemy. If such be preservation, Heaven grant that Britain may never be preserved!

As to cessation of hostilities, a sovereign, whose only fleet has been *disabled* in an engagement, will readily enough cease from hostilities at sea; a sovereign, whose only army has mutinied, and made peace for itself, will readily enough cease from hostilities by land. Such were the cessations on which the British mediator blushes not to found his pretensions to *neutrality* and impartial justice. After the Turk had been spirited up to attack Russia in the south, the Swede was spirited up to attack her in the north, to prevent her sending a fleet to the Mediterranean to retaliate on the aggressor. For accomplishing this object, the bare show of hostility on the part of Sweden was sufficient: and Britain, long before she pretended mediation, had consummated her injustice.

Everywhere, out of England, these facts are as notorious as the existence of the powers to which they relate; and would be so in England, if the only sources of information, accessible to the bulk of readers, were not poisoned by ignorance or corruption, or national partiality, or party prejudice.

Text. Par. 5.

"The King, my master, still sees with *sorrow* that, since that epoch, the offers of mediation and services from the King and his allies, have not produced the desired effect: nor could they incline the Empress to agree to a mediation for restoring peace to the east, nor to the north of Europe."

Observations on Par. 5.

The *sorrow* may be admitted, as it is not pretended to be accompanied by *surprise*.

Text. Par. 6.

"Under these circumstances, when Russia refuses to accept every mediation, and the continuation of hostilities proceeds from this refusal only, his Britannic Majesty and his allies think, they should strongly represent to the Court of Denmark, that this Court appears to them entirely freed from every stipulation of a treaty merely defensive; and even add, that, in the present case, the joining the Danish forces, either by land or sea, to those of Russia, would even cause Denmark to be considered as one of the powers at war, and could (not) but *justify* the King of Sweden in asking for a speedy and efficacious assistance from his Britannic Majesty, and his allies, from which his Swedish Majesty has accepted a pure and unlimited mediation."

Observations on Par. 6.

In this paragraph we see promulgated an article of a new complexion in the law of nations:—That if two powers engage in a defensive treaty, and the *casus fœderis* occurs, it depends upon any third power whatever to dissolve the engagement at pleasure. Upon nonsense like this, argument would be thrown away. But surely, if this country is not irrecoverably fascinated by the charms of war and taxation, as well as of wanton oppression and injustice, such pretensions on the part of its servants has some claim to notice. *Pope* of Denmark, master of *dispensing power*, *Defender* not of *Faith*, but of the *breach* of it; such are the titles which the head of the British church has been advised to arrogate, and of which British blood and treasure are to be poured forth in the defence.

As to his Swedish Majesty's being *justified* in asking for a speedy and efficacious assistance from Britain, it is well enough known, that he is not a man to lose anything for want of asking, nor wait for justifications. The material question is, whether his Britannic Majesty means to gratify him in such a request? And to this, we shall immediately see an answer in the affirmative, in terms sufficiently explicit.

Text. Par. 7.

"From the principles of sincerity which I have ever observed towards a Court in alliance, and a friend to Great Britain, I must assure you, sir, that neither the King of England, nor his allies, can give up the system they have adopted, with the design only of maintaining the equal balance of the north; (a) balance no less necessary to Denmark, than to all maritime and trading nations."

Observations on Par. 7.

What is curious in this business is, to see the ease and unconcern with which the minister undertakes, not only for the King of Prussia, but for the Dutch, whose task it is to make a perpetual sacrifice of their country's welfare to the capricious and mischievous politics of a British Ministry. Such is the degraded state to which a people, once so high-spirited and free, have seen themselves reduced by a confederacy of tyrants.

As to political balances, how clear and how just the notions entertained, or pretended to be entertained, of such matters by this negotiator and his employers are, has been already seen.

Text. Par. 8.

"I doubt not your Excellency perceives how little the most favourable interpretation of your treaty could assist the Empress, if it occasioned a vigorous coöperation, by land and by sea, of the three Powers in defence of Sweden; nor that the Council of Copenhagen is too wise and too moderate to expose either Russia or

Denmark to an increase of hostilities from Courts which, in other respects, wish but for peace, and who desire to establish it on the most solid foundation, and on conditions the most advantageous to every party concerned."

Observations on Par. 8.

If the form of this paragraph is hypothetical, the spirit of it is as categorical as any one could desire. We now see, then, what we, for our part, have to expect. If the Danes are true to their engagements, our Ministry is to throw off the mask, abet unprovoked aggression with a high hand, and plunge the nation into a causeless and useless war. Perceiving what he is here desired to perceive, it is to be hoped that his Excellency will also perceive, on the other hand, how little the good-will of the British Ministry could affect their virtuous ally, if Parliament, when applied to, should hesitate to throw away t'other fifty or hundred millions of the nation's money for their amusement, and to saddle it with two or three millions a-year more, in taxes, for the pleasure of cutting the throats of a people who never offered them the smallest injury. Such hesitation is not altogether out of the sphere of possibility. Fond as the people of this country are of war and insolence, prone as they have shown themselves, of late years, to make sudden starts from well-grounded and deep-rooted jealousy, to implicit confidence and foolish fondness towards George the Third, it is too much to suppose them capable of being wrought up to such a pitch of infatuation.

I hope the Danish Minister is not the only one who will consider, that neither threats nor promises like these, are quite so soon performed as made; and that, when the trustee of a free people takes upon him, thus smoothly, to offer their lives and fortunes in support of a war not less foolish than flagitious, he may find, to his shame, that he has reckoned without his host.

The pride of dictation, the pomp of arbitrage, the glory and renown of unretaliated injustice, form at a distance a captivating spectacle. But, when the pageant is brought near, and war and taxation are spied in the background, reflection begins to operate, and prudence whispers, that even the transports of senseless ambition may be bought *too dear*.

Text. Par. 9.

"Therefore, sir, I must expressly entreat you, from the king and his allies, to induce the Court of Denmark not to grant any part of their forces, either by land or sea, to act offensively against Sweden, under *pretence* of a *Defensive Treaty*; but, on the contrary, to support a perfect neutrality, in every province, and in all the seas belonging to the King of Denmark."

Observations on Par. 9.

Under what *pretence* trespass upon the pa-

tience of the Danish Minister with this insolence? Is, then, a Defensive Treaty between Denmark and Russia but a *pretence*? Was it not the King of Sweden that attacked Russia, and that for the avowed purpose of making conquests at her expense? Are aggressors to choose how the aggrieved country shall be defended? And can Russia be defended without offending the King of Sweden?

Text. Par. 10.

"Depend on it, sir, that as soon as Denmark will have taken a resolution so conformable to the wishes of his (its) *true friends*, the *concurrence* of the King of Denmark towards the re-establishment of a general peace would be infinitely agreeable to the king, my master, and I dare add that your Excellency has too long been acquainted with the *true interests* of Russia, and with the sentiments of England, not to be sensible that the Empress of Russia cannot better confide to effect a peace than to his Britannic Majesty and his allies. My instructions are to ask of your Excellency a clear and decisive answer on the intentions of his Danish Majesty, with regard to a junction of part of his forces, either by land or sea, to the forces of her Imperial Majesty of Russia, and to propose the neutrality of the Danish States, and of the Danish seas, under the *most efficacious promise of security from the King of England* and his allies."

Observations on Par. 10.

Another proposition for the truth of which Mr Elliott is entitled to full credit, viz. that supposing a resolution, on the part of the King of Denmark, to break his treaty with Russia, and refuse her all assistance, *the concurrence of that king, towards the re-establishment of a general peace, would be infinitely agreeable to Mr Elliott's royal master*; as a peace, good or bad, is not to be made, nor any other political effect to be produced, by sitting still and doing nothing; if Denmark, without helping Russia, is to act towards the production of a peace, it must be by helping the enemies of Russia. At this price, she may be sure enough of the temporary smiles of this "true friend," this adept in the true interests of Russia, who in return for his indefatigable labours in her service for these two years, now demands her "*confidence*."

A declaration in which this country is not less concerned than Denmark, is, "*the most efficacious promise of security from the King of England*," so generously offered to Denmark, in case of her deserting her allies, coupled with the assurance which we saw given of *speedy and efficacious assistance* to be afforded to the King of Sweden, in case such desertion does not take place. Punishment on one hand, protection on the other, are thus held out to this injured and insulted people, all for the amusement of this their "*true friend*," all at the expense of Britain. If after all these efforts this *true friend* of peace, and his virtu-

ous seconds, fail of compassing the felicity of a war, they are the most unfortunate of men. War with somebody they will have at any rate. *Now* in one event—*hereafter* in another. War with Denmark, if Denmark will not be bullied into a breach of faith. War with Russia if Denmark crouches, and Russia at some future period, when recovered out of her present difficulties, should bethink her of her wrongs, and call a faithless ally to account for his infidelity.

Text. Par. 11 and last.

“This desire of avoiding every kind of useless animosities has caused me to address myself to your Excellency by a *private* letter rather than deliver a formal declaration, the contents of which *might have been made more public than the actual circumstances of affairs require*; and I am bold enough to *flatter myself* that, whatever may be the event of my negotiations, your Excellency will do me the justice of acknowledging that I have laboured to prevent the miseries of war. May our united endeavours revive in the hearts of the sovereigns the true love of their subjects, too unhappily victims of that chimerical love of glory which has so frequently and so unnecessarily stained Europe with blood!”

Observations on Par. 11 and last.

Secrecy is the known companion of guilt: publicity of probity and innocence. The first endeavour was to confine the matter to verbal insinuations: that defeated, the business was pursued by *letter*, which it is desired might be considered as a *private* one. This letter, whether by policy or accident, has been made public; and the reproach of meanness added to that of insolence and tyranny, is what the authors of the proposition have got by their endeavours to hide it. Had the Danish Minister yielded to private insinuations, not only would Russia have been deprived of the assistance due from Denmark, but the seeds of jealousy and dissension would have been sown between the two courts. The extorted neutrality would have been published as a voluntary one, and the breach of alliance would have been imputed either to disaffection or to the unjust desire of reaping the benefit of it without sharing in the burthens. The disavowal of the threats, after they had produced their effect, would thus have effected a double purpose: the reproach of injustice would have been transferred from the authors to the victims of it. Interrogated concerning the cause of the infidelity of Denmark to Russia, the British Minister at Copenhagen would have known no more of it than the British Cabinet did of the causes of the Turkish war. Pride, too, by disposing the Danish Court to attribute their defection to any other principle rather than fear, might have disposed them to join in throwing a veil of secrecy over the business.

The plan was not ill laid for a plan of

knavery; but it is the property of knavery that its successes hang upon a hair; and when exposed to the public eye the breath of one honest man is enough to break it.

That there is a species of “coldness” in the “self-flattery” here professed by Mr Elliott will not be disputed with him; but what purpose it can answer to a man, in the act of setting fire to a train, to boast of the pains he is taking to prevent the conflagration, is a question not easy to resolve.

Actions are the test of words. A wish, which would have been the language of virtue in the mouth of a guardian of peace, corrupts into hypocritical violence in the impure lips of a Minister of violence. Such is the response of an honest man to this concluding prayer.

ANTI-MACHIAVEL.

LETTER II.

SIR,—The plan of aggression in the north I find pursues an uninterrupted course. Opportunities are sought, and none are suffered to pass unimproved. To evince the partiality of his Majesty’s proffered mediation, Sir Roger Curtis is sent to perform the office of Drill Sergeant to the Swedish Navy. This is old news in Europe. I have looked for it in vain in our own prints. Should occasion require, Gibraltar’s other hero may be despatched perhaps for the defence of Gottenburg. Once already has that port been saved by us; Sweden rescued from the miseries of ancient liberty, and the nations of the Baltic from the calamities of peace. At that time the pen of an Elliott was sufficient to the task. A second time the sword of another Elliott may be nothing less than necessary. Terrified or deceived, Christian for once submitted to our mandate. Catherine may not be quite so tractable: a Russian Admiral may have scruples about recognising a British Envoy for his commanding officer.

Once more, if the endeavours of the Ministry are not crowned with war, they are the most unfortunate of men. A Swedish frigate is captured by a Russian off the coast of Norway. Restitution is demanded by the British envoy. —On what pretence? That the vessel was British? That it had British subjects, or British goods in it? No: but it was taken *too near* the Danish coast. The King of Great Britain is become King of Norway: Great Britain is therefore injured by a violation of the territory of Norway. The nominal King of Denmark has no interest in the peace of his own country, no feeling for his own honour: it is *therefore* become necessary for his brother of Great Britain to take the sceptre out of his hands. Such is the *logic* of St James’s. If the *consequents* only of these syllogisms are expressed, it is only to save words; the *antecedents* are implied.

One of the glories of the first Pitt was the *destroying* of a French fleet, not *near* but *UPON*

the coast of Portugal. What would have been his language, if a neutral court—Denmark for instance—addressing itself to Portugal or to him, had taken France by the hand, and called for satisfaction? In the present instance, conceive Denmark to have recalled the precedent.—“We will talk about the Swedish frigate, when, in satisfaction to the violated peace of Portugal, you have put France into the same plight she would have been in had the coast of Lagos never felt the flame of British firebrands.” If such had been the answer of Denmark, what would, what could have been the reply?

The fair and open reply is, that justice and humanity have no place in cabinets. It is for weak states to suffer injuries: it is for strong ones to inflict them. *Do as you would be done by*, a rule of gold for individuals, is a rule of glass for nations. The duty of a king to his subjects and to the world, is to compass war, by any means, and at any price; and the less the profit or pretence, the greater is the glory. To do mischief is *honour*: to do it slyly, darkly, and securely, is *policy*. The number of troops a nation is able to bring into the field, gives the measure of its power: the number of unprovoked and unrequited injuries it has been able to inflict, gives the measure of its virtue. The true contest among kings is, who with least smart to himself shall give the hardest blow. The King of England, is he not the King of *Humphreys* and *Mendoza*? The prowess of *Humphreys* and *Mendoza*, is it not the object of envy and imitation to the Ministers of the King of Great Britain?

ANTI-MACHIAVEL.

Soon after the publication of the foregoing, the following Ministerial apology appeared. Bentham attributed it, on what he thought good authority, to the king himself:—

To the Printer of the Public Advertiser.

June 4, 1789.

SIR,—In several of the public papers, but particularly in those called Opposition papers, great pains, I observe, have lately been taken to blame his Majesty's Ministers for having concluded the late Treaty of Defensive Alliance with the King of Prussia. The manner in which most of the authors of these remarks have treated the subject, proves, that the ardour of serving their party has led them far beyond the sphere of their knowledge, and that they are very little acquainted with the different interests of the several powers of Europe, of whose respective political situations an exact statement appeared in one of your papers some time in the beginning of May.*

* Mr Elliott's declaration to Count Bernstoff (May 10.)

The necessity of a continental ally being allowed on all sides, the enemies of the treaty in question could do no less than point out another power, as preferable to the King of Prussia; and they have very wisely fixed upon Russia. But whilst, in order to prove the advantages of an alliance with that empire, they represent its power by sea and by land in its utmost magnitude, they seem not to be aware, that what they allege as an inducement to an alliance, might partly be looked upon as a sufficient reason for declining it. The power of Russia has lately grown to such a pitch, that, in the opinion of the best informed statesmen, it threatens to overthrow the political balance of Europe. But by the present judicious combination of England, Prussia, Sweden, and perhaps Denmark, it is likely to receive a seasonable check; and, in proportion as Russia will thereby be reduced, Sweden will rise in importance, and become firmly attached to this country, by whose assistance it has been raised from its late insignificance, and rescued from the power of Russia, which has long meditated its destruction. The great abilities of the present King of Sweden and his brothers, seem to point out the present period of time as expressly calculated for restoring the balance of power in the north, destroyed by the preponderance of Russia.

Independent of these considerations, would it become the spirit of the British nation to court the alliance of the haughty and imperious Czarina, who, when England was involved in a war with numbers of enemies, assumed the air of a Dictatrix on the seas, and promoted every measure which could tend to the reduction of the power of Great Britain? The armed neutrality was chiefly the work of the Court of Petersburg, whereby England was deprived of the great advantages which her numerous armed vessels would have given her over her enemies, by intercepting their supplies of warlike stores. It is true, the late King of Prussia gave likewise into that measure; but he had at least some cause to complain of the conduct of England towards him in the year 1762, whilst Russia was plainly actuated only by a jealousy of the great power of the British navy, which she has ever since shown a disposition to diminish. The commercial advantages which this country might derive from a treaty with Russia, the other powers in the Baltic, together with Poland, will be able in a great measure to afford; whilst, from the wisdom of the present administration, we may expect that such encouragement will be given to the cultivation, in the British dominions, of the important articles of hemp and timber, that the immense sums which are paid for them to foreign nations, will, in time, be considerably lessened. The system adopted by the present administration tends likewise manifestly to lessen, if not entirely to annihilate, the influence of France in Turkey and Sweden, which may

very probably be attended with such commercial advantages to England, with regard to the former power, that the British trade to the Levant, at present almost entirely superseded by the French, may regain its pristine importance.—I am, sir, your humble servant,

PARTIZAN.

To Partizan's letter Bentham thus replied:—

LETTER III.

The Public Advertiser, June 15th, 1789.

Observations on a Ministerial Defence of the Prussian Treaty, signed "A Partizan," and inserted in the Public Advertiser of June 4th.

Text. Par. 1.

"In several of the public papers, but particularly in those called Opposition papers, great pains, I observe, have lately been taken to blame his Majesty's Ministers for having concluded the late treaty of Defensive Alliance with the King of Prussia."

Observations on Par. 1.

I am heartily glad to find there is one party amongst us whose eyes *begin* to open to the folly of the plan of continental politics we have been so long pursuing;—better half open than perfectly closed. I hope, ere I have done, to open them a little wider. "Defensive Treaty,"—so pretends the title. The whole tenor of our foreign politics for two years past, and the very terms of Mr Elliott's declaration, so lately delivered to Denmark, show it to be *offensive*.

Text. Par. 2.

"The manner in which most of the authors of these remarks have treated the subject, proves, that the ardour of serving their party has led them far beyond the sphere of their knowledge, and that they are very little acquainted with the different interests of the several powers of Europe, of whose respective political situations, an exact statement appeared in one of your papers some time in the beginning of May."

Observations on Par. 2.

For this statement, I suppose we are obliged to the author of this argument. I have not met with it, nor should I think of looking for it, but in the persuasion of finding it as erroneous as these deductions are inconclusive. True, or false, it is equally incapable of throwing any other than a false light on the present question. According to this pretender to superior "knowledge," the writers on the other side show themselves "*very little* acquainted with the different interests of the *several* powers of Europe." Without the pains of studying that *exact statement*, it shall be seen whether

he possesses any tolerable conception of the interests of any one.

Text. Par. 3.

"The necessity of a continental ally being allowed on all sides, the enemies of the treaty in question could do no less than point out another power, as preferable to the King of Prussia; and they have very wisely fixed upon Russia."

Observations on Par. 3.

Somewhat less unwisely than those who fixed on Prussia. An impregnable Empress, with twenty-five or thirty millions of subjects, is a less ineligible ally than a collection of disjointed scraps and fragments, made up into a nominal kingdom, with less than six millions. See the vulnerability of this tottering power extremely well stated by Sir J. Dalrymple, in the Public Advertiser of April. See the same truth fully developed by the masterly and impartial hand of the *Comte de Mirabeau*, in his great work, *Sur la Monarchie Prussienne*. The necessity of a "continental ally allowed on *all* sides:" assuredly not on *mine*. Of the *non-necessity* of all alliances to this country; of the inutility and mischievousness of all such engagements, *my* conviction is as strong as of my own existence. The fewer allies, the more friends. Neither Prussia nor Russia would I have for an ally, nor any other power whatsoever, would they pay us for our alliance the half of their revenue. An alliance which is not necessary, is much worse than useless. No ally will engage to go to war for you, without your engaging to go to war for him. The first power in Europe, a nation that for more than thirty years, and in two successive wars, has shown herself more than a match for the two greatest next to herself, cannot stand in need of alliances for her defence. Other powers may join with one another to guard themselves against *her* attacks; prudence may enjoin *them*; justice cannot but authorize them;—both forbid *her* to take umbrage. But that three or more powers should join in offensive war, in the view of plundering one which is more than a match for any two of them, is out of all probability and all *example*. To engage her in alliance, is to shake her peace for nothing. Such measures, instead of increasing her security, diminish it. Being unnecessary for defence, they announce aggression, if they do not, as, unhappily in our own case, follow it. Exciting well-grounded jealousy, they beget counter-alliances; and, by the boundless terror they inspire, create many sincere enemies, in return for one false friend.

There is a point in the scale of national security, beyond which the nature of things will not suffer man to soar. We stand—we have long stood—upon that pinnacle. No step we can take can raise us above it: no effort we can make, but must endanger our sinking below it.

Text. Par. 4.

"But whilst, in order to prove the advantages of an alliance with that empire, they represent its power by sea and by land in its utmost magnitude, they seem not to be aware, that what they allege as an inducement to an alliance, might partly be looked upon as a sufficient reason for declining it."

Observations on Par. 4.

The argument which this introduction ushers in, might be *partly* deserving of that name, if the alliance, which it is employed to represent as ineligible, could be *partly* made, and *partly* not made. Here it follows:—

Text. Par. 5.

"The power of Russia has lately grown to such a pitch, that, in the opinion of the best informed statesmen, it threatens to overthrow the political balance of Europe."

Observations on Par. 5.

A comment on this passage is no further of use, than as it serves to show the badness of the cause, by the *necessary* distress betrayed by those who stand up in its defence. *Is* Russia, or is she *not*, so strong as the opposition writers, it seems, have been representing her? *Is* the alliance of a strong power, or is it *not*, better than that of a weak one? No one reply, nor any two consistent replies, will answer the purpose of this advocate. The statements of the opposition must be true and false, Russia strong and weak, an eligible ally, and an ineligible one at the same time. *Weak*, for the purpose of assisting us, so long as the alliance lasts: *Strong*, for the purpose of injuring us, when, in order to get at us, she has made a sudden spring, broke the alliance, and overthrown the political balance of Europe: *Ineligible*, so long as a chain of aggressions, as unexampled as they were unprovoked, have failed of winning her to our side. *Eligible*, as soon as these extraordinary favours shall have purchased her unnecessary assistance. Her *thirty* ships of the line, after having been less useful to us for I don't know what length of time, than the King of Prussia's *none*, are to swell in the compass of a night to sea serpents, and swallow up our 120, and so on.

Text. Par. 6.

"But by the present judicious combination of England, Prussia, Sweden, and perhaps Denmark, it is likely to receive a seasonable check; and, in proportion as Russia will thereby be reduced, Sweden will rise in importance, and become firmly attached to this country, by whose assistance it has been raised from its late insignificance, and rescued from the power of Russia, which has long meditated its destruction."

Observations on Par. 6.

In this hodge-podge paragraph, there is such a

combination of ignorance, absurdity, false statement, and cool wickedness, as should effectually protect it against discussion, were it not too faithful a specimen of the vulgar commonplace mode of arguing on these subjects. That powers, without any assignable cause, take sudden shoots, while others, equally without any assignable cause, are at a stand, or on the decline, and in a state of insignificance:—that a nation is at any time, and for no reason but that of its being in a state of prosperity, and because it is possible it *may* some time or other, turn assailant, be assaulted, and *checked*, in order to be *reduced*:—and thereby that at all times when there is one nation more powerful than another, that is to say, at all times whatsoever, some one nation is to be laid waste, and as many of her subjects as can be come at be put to the sword by a parcel of other nations who, at the expense of the same miseries, are to confederate for that purpose:—that a nation, consisting like Sweden of scarce three millions of the poorest subjects in Europe, is to rise in importance, by being driven, without the smallest provocation received, and against the avowed inclination of its own armies, into a war with an Empire, containing from 25 to 30 millions; that the having thus pushed such a nation into the jaws of destruction, under favour of the venal baseness of its rulers, is such a benefit conferred on it, as to create on its part "*a firm attachment*" to this country;—that an assistance which consists in nothing more than the keeping off of other remedies, is to "*raise*" a nation so assisted "*from insignificance*," and rescue it from the power of the enemy, into whose jaws it is thus plunged:—that Russia, with the complete power of destroying Sweden, but without any motive, has been long meditating its destruction, though without taking any one step (for I defy him to produce any) for that purpose:—that a "*combination*" entered into for such purposes is a "*judicious combination*:"—that Denmark, to whose capital city and shipping, an officer of the King of Sweden has been convicted of setting fire, in revenge for the assistance she was bound to render to Russia, in obedience to the strict letter of a defensive treaty, is "*perhaps*" about entering into this combination against Russia: that it would be *judicious* on her part so to do: such are the absurdities and atrocities which this man of "*superior knowledge*" and "*exact statement*" has contrived to crowd into the compass of a sentence—which this man of a temper superior to "*the ardour of serving a party*," has attempted to impose upon his readers.

In the nomenclature of politics there are certain established phrases, by which innocence and wisdom are branded with contempt, guilt and folly recommended to admiration and to practice. In this dictionary, *peace* and *tranquillity* are represented by *sloth*, *obscurity*, and *insignificance*: *bloodshed* and *destruction* by *vigour*, *spirit*, *activity*, *a sense of national glory*,

and so on. In the faculty of ringing the changes upon these phrases, consists the skill by which writers of the complexion of this ministerial advocate prove their title to the appellation of adepts in politics.

For these five and twenty years last past, Sweden has enjoyed the benefits of peace; her scanty population, and as slender substance, have been undergoing a slow but regular increase, to the great mortification of her *active* and *spirited* sovereign, who, ever since incorruption, and her companion liberty, have been expelled the Constitution by armed force, has been labouring to "rescue her from insignificance." British protection, and *Turkish*—I hope not *British*, gold, have at length crowned his efforts with success; the small remains of liberty have been completely crushed; the power of the purse seized, new and heavy taxes imposed, the country exposed to the inroads of a superior and justly exasperated enemy, and now the nation is "*rising in importance*." The profound and virtuous politicians, of whom the composition I am reviewing is intended as a defence, have for about these two years been labouring to rescue this country from insignificance, to raise it in importance in the same way, and these efforts seem to be on the point of being crowned in the same manner. The nation, constantly and laudably vigilant against domestic mismanagement, has been too inattentive to the mischiefs which may befall her from ill-grounded plans of foreign politics, and the misbehaviour of her servants towards foreign powers. Pushed on by injustice and false policy to the brink of war and unfathomable taxation, it is time, if it be not too late, to open her eyes. With impatience, mingled with surprise, I have long been waiting for a less incompetent historian to step forward and undertake the thankless office. Sad necessity alone could have dragged me from more smiling prospects to this gloomy scene; but the same necessity, if it continue, will ensure my perseverance.

Text. Par. 7.

"The great abilities of the present King of Sweden and his brothers, seem to point out the present period of time as expressly calculated for restoring the balance of power in the North, destroyed by the preponderance of Russia."

Observations on Par. 7.

The personal character of the King, of this Royal Champion of Justice and Equality, is a theme of which I shall leave this, his British second, in undisturbed possession. Kings have long arms; and, however well you may be insured, Mr Printer, against fire, I fear you would not find yourself so against the severity of those laws by which Kings have thought fit to protect one another's characters from scrutiny. Respect, and a propensity to imitation, are kindred sentiments. I hope they are not in-

separable. For the abilities that could carry through a national assembly a question of supply, by the imprisonment of the Opposition—for such abilities our own most gracious sovereign feels all that respect, which is evidenced by the support his Ministers are giving to them. But let us hope the precedent will not be imported from Stockholm into Westminster.

Text. Par. 8.

"Independent of these considerations, would it become the spirit of the British nation to court the alliance of the haughty and imperious Czarina, who, when England was involved in a war with a number of enemies, assumed the air of a dictatrix of the seas, and promoted every measure that could tend to the reduction of the power of Great Britain."

Observations on Par. 8.

My task would have been shorter if this jargon about the *spirit of a nation*,—*courting alliances*,—*haughty and imperious Czarina*,—*air of a dictatrix*,—had been left undisturbed in the school-boy's satchel, from which it was purloined. And so we are to set Europe on fire on both ends, spread slaughter and destruction over three empires, and four or five kingdoms, to show our *spirit*, and that we are not *courting an alliance*? In return for this declamation, let me put a question to this candid "Partizan," so superior to the ardour of serving a party: which of the two powers stands most in need of being "*checked and reduced*?" The power *against* which such methods are employed, or the power which employs them?

Text. Par. 9.

"The armed neutrality was chiefly the work of the Court of Petersburg, whereby England was deprived of the great advantages which her numerous armed vessels would have given her over her enemies, by interrupting their supplies of warlike stores."

Observations on Par. 9.

The accusation contains within itself a complete demonstration of its own injustice. This greater disadvantage, which Great Britain, it is said, experienced by the check given to her intercepting the supplies of her enemies, could have no other cause, but her superiority over those enemies; she could have no other motive for wishing that check removed. The greater the disadvantage, the greater her superiority. The armed neutrality was, therefore, a measure of self-defence, of equality, of peace. Of *self-defence*, as its object was, merely to protect all those northern nations against the being cut off from the disposal of almost the only articles of their produce. Of *equality*, because it operated either equally for and against both parties in the war, or most against the one whose overbearing power had given it the "*advantage*." Of *peace*, because by throwing

obstacles in the way of oppressive power, it tended to make the success of projects of conquest or encroachment more tedious and uncertain; and because the peaceful enterprise was pursued by no other than pacific means. One of two things, then, he has made out to demonstration: either this measure of the empress did us no harm, or it did us harm which we deserved, and which, according to his own principles, she was bound to do to us.

Text. Par. 10.

"It is true, the late King of Prussia gave likewise into that measure; but he had at least some cause to complain of the conduct of England towards him in the year 1762, while Russia was plainly actuated only by a jealousy of the great power of the British navy, which she has ever since shown a disposition to diminish."

Observations on Par. 10.

Another cluster of absurdities, partly expressed, partly implied. That in order to know whether it be proper or no to engage in a measure hostile to another nation, the way is,—not to ask ourselves whether it would be consistent with justice, humanity, or a regard for our own interests so to do,—but in what state the temper and affections of the sovereign of that nation were upon a certain occasion nine or ten years back. That it is possible to ascertain, or worth while to inquire, from which, out of half-a-dozen motives, any one of them capable of producing the effect, an act not in itself a hostile one, took its rise: That in point of fact, the motive which produced the effect in question was, on the part of the Empress of Russia, *jealousy*: on the part of the King of Prussia, *resentment*: That, in consideration that sixteen or seventeen years before that period, and twenty-six or twenty-seven years before the *present*, the *angry* sovereign might have conceived he had a cause for his anger, it is fit and proper now to enter into an alliance with that *angry* power, and *against* the *jealous* one. If considerations like these are to be sufficient grounds for war, I wonder when, and with whom, we are to be at peace. A nation with thirty ships is never to be capable of being supposed jealous of a power with a hundred and twenty, on pain of seeing its subjects' throats cut for it at ten years' distance, while the nation that has the hundred and twenty ships, is to be eternally jealous of the one that has thirty, and in consequence to raise up enemies to attack her as often as an opportunity presents itself.

This disposition to reduce the naval power of Great Britain, this hostile disposition which is so coolly assumed, I should be curious to know how it is to be proved? Is there any one instance where the means of keeping up that species of force have been permitted to other nations, and refused to Britain? Even since the expiration of the treaty of commerce

is there any one advantage in the trade of naval stores, or in any other branch of trade, in respect of which we have been put upon worse terms than any other nation? A disposition on her part to reduce our power? How? By what acts evidenced? Surely some *errata* must have crept into the official documents with which this "*exact stater*" has been supplied. That it was *Sir R. Ainslie* that was clapped up in the Seven Towers, and that Mr *Bulgakoff* was the adviser. That it was the *English* fleet that was attempted, in time of peace, to be burnt at Copenhagen, and that they were *Russians* that seconded the patriotism of the *Swedish* colonel in that generous enterprise.

A circumstance, too, which this champion of equality seems to forget, is, that it was not only the *jealous* sovereign of Russia, and the angry sovereign of Prussia, that engaged in this supposed conspiracy against our power, but our great and good ally, the King of Sweden: All these joined in the same obnoxious measure: One is to be crushed for it; the other encouraged and supported. Such are the lessons of equity which this instructed advocate is employed to teach us.

I will not inquire what other powers joined with the foregoing. I would rather ask which did not? The documents are not before me: but I *believe* not *one*. The world we are fallen into is not only a very wicked one, but a very unaccountable one. It joins in a universal conspiracy against us. It finds us pressed by enemies; and when the junction is formed, it behaves to us and our enemies alike, without offering us the smallest injury. It is for this offence that we have embarked in the enterprise of punishing such parts of the world as are within our reach, in pious expectation of the time when it shall please God to deliver the rest of it into our hands. It is for the sovereign dispenser of unerring justice to choose his own time and his own instruments; and if, in truth, it hath pleased him to give commission to our most gracious sovereign, as successor to Attila, to scourge the world, it is for us to kiss the rod, and for the world to crouch to it. Of the existence of such a commission, I, for one, shall be satisfied when I see it produced; but the rhetoric of this disclaimer, I hope, is not to pass in lieu of it.

Text. Par. 11.

"The commercial advantages which this country might derive from a treaty with Russia, the other powers in the Baltic, together with Poland, will be able in great measure to afford; whilst, from the wisdom of the present Administration, we may expect that such encouragement will be given to the cultivation, in the British dominions, of the important articles of hemp and timber, that the immense sums which are paid for them to foreign nations will in time be considerably lessened."

Observations on Par. 11.

The political economy of this ministerial advocate is of a piece with his foreign politics. For the credit of office, I hope here at least he is not speaking from his *brief*. Sure I am he has not got his instructions from Dr Smith.

To prevent us from raising the important articles in question there are no legal obstacles, nor ever have been. The obstacle is, that the quantity of them that can be produced upon a given spot of ground, at a given expense, is of not so much value as the production on the same spot, at the same expense, of some other commodity. The good management, we are bid to expect from the "*wisdom of Administration*," consists in the taxing the one part of the community, in order to make a purse to pay another part, for raising a less profitable crop, instead of a more profitable one. The amount of the bounty thus bestowed, of the tax thus wisely imposed and applied, constitutes pretty nearly what, according to my calculation, would be the *loss* by this wise measure. "No," says this harbinger of wisdom, "it is only the deduction from the gain: For the saving of the immense sums which we now pay for hemp, and so forth, would be so much *clear gain*." And true he says, if the corn, and other productions which, by the supposition, would otherwise have been raised on the same *land* to a *greater* value, would sell for *nothing*.

Text. Par. 12, and last.

"The system adopted by the present administration tends likewise manifestly to lessen, if not entirely to annihilate, the influence of France in Turkey and Sweden, which may probably be attended with such commercial advantages to England, with regard to the former power, that the British trade to the Levant, at present almost superseded by the French, may regain its pristine importance."

Observations on Par. 12.

Why attempt to "annihilate," or by violence even to "lessen," the influence of France in Sweden, in Turkey, or anywhere else? With what hope? with what justice? with what reason? to what use? In what instance, and in what country, has France been attempting to abuse it? Do we feel, have we lately felt, in the Levant or elsewhere, any want of influence? Have we met with any hinderance there, from selling what we had to sell, from buying what we wanted to buy, except in the way of fair and peaceable competition? Are the French never to be permitted to buy anything but of us? How are they to buy anything of us, without being allowed to get anything to pay for it with? Is it so sure a thing that the French will never have hereafter any troops in their armies, any money in their treasures, any resentment of injuries in their bosoms, and that they will always lie still to be trampled upon by the present Administration,

and the present Administration's Trumpeter? If to keep them from starving, we can prevail upon our generosity to indulge them in a small pittance of trade anywhere, can we find a more proper field for indulgence than one to which they are twice as near as we are? Is not that superior vicinity sufficient to account for whatever superiority their trade has over ours, without recurring to the unsupported supposition of superiority of influence? Can the sum total of our own trade, at any period, be extended beyond the limits which the quantity of our capital at that period has set to it? Can the sum total of the trade of France be prevented from assuming the extension which the quantity of her capital allows of? Is it to be taken for granted without proof, and against manifest probability, that a trade for which we have farther to go than the French have, must be more profitable than others for which we have not so far to go as they have? Can the wisdom of grasping at any particular branch of trade be shown any otherwise, than by showing that in that trade the gains are greater, or the expense less, than in any other branch?—and is there not in the breasts, and in the heads of merchants, a principle that will lead them to find out the most lucrative, without their being whipped to it, or whistled to it, by the "*wisdom of the present administration*?"

If the principles I have been reviewing were to be pursued by all who have as good a right to pursue them as we have, a war of all against all would be the consequence, and the race of man would be swept from off the earth.

There might be wisdom in blind and malignant selfishness, if, by shutting our own eyes against our own injustice, we could shut the eyes of our fellow-men; the misfortune is, that we open them but the wider.

Sir, it is not my ambition to crush insects: but better arguments than these the cause does not supply. Sir, I wage no war with harmless ignorance: but when ignorance, under the mask of superiority, steps forth to abet guilt, and a great nation is egged on to run a muck against the world, severity becomes a duty, and compassion for one gives way to sympathy for millions.—I am, Sir, yours, &c.,

ANTI-MACHIAVEL.

These Anti-Machiavel Letters excited the resentment of George the Third. He discovered their author, and never ceased to regard Bentham in the light of a personal enemy. Bentham always attributed the *Veto* he put upon the Panopticon Bill, after it had passed both Houses of Parliament, to the vindictive feelings created by this correspondence.

Bentham had not mentioned to any one that he had written the first two Letters, signed Anti-Machiavel; but on the day, or the day after the Letter

appeared, (so sharply attacking the policy of his unknown royal opponent,) Bentham called at Lansdowne House, and he thus relates what passed:—"You are found out," cried Lord L., laying hold of me, 'Lady Lansdowne it was that detected you,' and he told me by what mark. He was in a perfect ecstasy. His fame had been grounded, in no small degree, on his knowledge of foreign politics. Guess my astonishment, when I found the whole story new to him. Never shall I forget the rapidity with which we vibrated, arm in arm, talking over the matter in the great dining-room. A day or two after, came out, in the same paper, an answer, under the signature of a *Partizan*. 'So,' says he, 'here's an antagonist you have got. Do you know who he is?' 'Not I, indeed.' 'Well, I will tell you: it is the King.' That he had means of knowing this, was no secret to me. For a considerable length of time, a regular journal of what passed at the Queen's house, had been received by him: he had mentioned to me the persons from whom it came. The answer was, of course, a trumpery one. The word *check*, applied to the

power of Russia, formed the whole substance of it. The communication produced on me the sort of effect that could not but have been intended. Junius had set the writings of the day to the tune of asperity. I fell upon the best of kings with redoubled vehemence. I sent the two Anti-Machiavels to Pitt the second. The war was given up."

"Who Anti-Machiavel was, became soon known to this same 'best of kings,' for that was the title which the prolific virtues of his wife had conferred upon him. Imagine how he hated me. Millions wasted were among the results of his vengeance. In a way too long to state, he broke the faith of the Admiralty Board pledged to my brother. After keeping me in hot water more years than the siege of Troy lasted, he broke the faith of Parliament to me. But for him all the paupers in the country, as well as all the prisoners in the country, would have been in my hands. A penal code drawn by me would have become law. Of the Panopticon establishment, the character to which it owed its chief value in my eye, was that of a means leading to that end."

CHAPTER IX.

1789—1791. *Æt.* 41—43.

Correspondence on French Affairs.—Memoranda of Lord Lansdowne's Ministerial Projects.—Lord Wycombe.—Memoir of a Portrait of Bentham.—His Wish to enter Parliament, and Correspondence with Lord Lansdowne.—Correspondence with Sir Samuel Bentham, Dr Price, Benjamin Vaughan, &c.

THE progress of events in France, hurrying faster towards their crisis, naturally engrossed much of Bentham's attention at this period, and became prominent in his correspondence.

A letter of Wilson, dated 21st May, 1789, says,—

"Trail and myself are out of humour with Necker's conduct, and with his speech, and also with the order of the noblesse, and with the meetings at Paris. As to Mirabeau, he is, I fear, an incorrigible blackguard, and also very deficient in common sense. What could be

more foolish than to publish anything at this time, which should give a pretence to say that the liberty of the press was dangerous? They would not have dared to suppress a journal which had given a fair account of the proceedings of the States."

In the same letter, Wilson accuses Bentham of having divulged to the Duke de la Rochefoucauld, that Trail and he had taken part in the preparation of certain papers sent to the duke,*—as the

* It is pretty clear that the "papers" were, the account of the Rules and Forms of the House of Commons, mentioned in Romilly's *Memoirs*, vol. i. pp. 101, 351.

communication might lower Romilly in the duke's opinion, and be suspected of "a want of modesty and candour in passing off for his own, work which had been done by others." To this charge Bentham replies:—

BENTHAM TO GEORGE WILSON.

"Hendon, Friday, June 12, —89.

"DEAR WILSON,—It is impossible for me to recollect the terms in which I expressed myself to Morellet about your share in Romilly's paper. I well remember the term I did *not* use, which was the word *triumvirate*, which I suppose was the occasion of your alarm. My object—as far as a sentence of a line or two could be said to have an object—was to communicate to people there the sense entertained by me of the value of a present that was none of mine. Saying nothing but the truth, having no injunction, nor being under any obligation that I know of to conceal the truth,—saying nothing but what was honourable to the parties, as far as honour may be derivable from such a medium and from such a source,—I do not feel the smallest compunction for anything that I may have said, whatever it may have been. Having nothing to gain in any shape by misrepresentation, nor feeling in myself much propensity to misrepresentation, the probability, I hope, is, that I have used none. If I wanted diversion at your expense, I should like to hear you make your apology to Romilly for a no-injury from which you could derive no benefit, and in which you had no participation or concern. But were I in Romilly's place, I should not be much flattered by an apology which supposed, on my part, a disappointed plan of passing as exclusively my own a work in which two others had so large a share. For whatever I may have said to the Abbé, the fact is, that the share you and Trail had in it was very considerable, as the original—in all your hands, and now before me—testifies. The fault you have to apologise to Romilly for, is his having lent me that original, and your having written in your own hand in-

stead of forging his, for the sake of making what was yours appear his, when you knew nothing of any intention on his part to communicate it to anybody. What never entered into my head, I must confess, till you put it there, was, the idea that any one could look upon a paper of this kind as a thing to found a reputation upon. It was always spoken of to me as a collection of a few rules, which would not have been worth setting to paper but because they were known to everybody, but which, for the opposite reason, might be of use there. The value of such a work was as its accuracy, and the probability of its accuracy was as the number of hands it passed through. Whether Romilly mentioned to people there his having received any such assistance, is more than I know or hope ever to know. If he did not, it must have been either because it never occurred to him, or because he did not think it worth while. What I should have done in his place I am equally unable to determine. It is likely enough I might have mentioned the assistance, not conceiving it to be a matter in which either the vanity of talent or the vanity of modesty could have place, but that, as having the more title to confidence, the information might stand the better chance of being of use. But if Romilly would feel the smallest regret at hearing that the assistance received was known in its full extent, or, to speak shortly, if he would care a straw about the matter, he is a man very different from what I take him to be. Your scruples about the matter were refined to such a degree of subtlety, that it cost me no small effort to bring my conceptions to the same pitch. I gave no answer at first, in humble hope that maturer reflection or oblivion would have dissipated them: and because, to express myself in imitation of a great model, I have but one head, and cannot always spare that at the precise moment you would wish. The time it cost your one servant to take the letter to Lansdowne House, added to the time it took me to write the letter on the slave trade, are not, together, equal to the time it cost me to study your two letters and con-

pose this, which, after all, will afford you little satisfaction.—*Mem.* To take care another time how I use the word triumvirate.

“With regard to the temporary mis-carriage of the books, it was as I supposed: they are since arrived. I waited two message-cart days before I mentioned it. When such mistakes happen, the way to have them rectified is to mention them. Turgot’s came in course, for which I thank you.

“Necker is double damned in my estimation, were it only for his folly, and tyranny, and tergiversation, in suppressing all accounts of the debates.

“J. B.”

The following is a curious memorandum of a conversation with Lord Lansdowne:—

“1789, *Saturday, June 27.*

“Lord L., in order to gain the empress, was for offering to accede to the armed neutrality; but conditionally—on condition of her mediating in our favour with Holland. Fox carried it against him in the cabinet to have the offer unconditional: and the letter from Fox, Home Secretary of State to Sweden, was penned accordingly. N. B.—I had already read the letter in a volume of correspondence Lord L. left for my perusal. Fox, to gain credit with the empress, gave her to understand what had passed on that occasion in the cabinet.

“[Lord L.] gave me to understand there was a negotiation then depending between him and the king for his coming in. Seemed to hesitate between the Foreign Department and Ireland. Spoke of Ireland as a thing below him, otherwise a place where he should find himself much at ease. ‘You, and I, and Romilly, should govern it with a hair.’ Many questions about my circumstances—my answers general—that it was true I had nothing, but that I had been used all my life-long to live upon nothing, and that nothing was perfectly sufficient. Questions about my aptitude and inclinations for parliament,—answers—that my voice was the most

inaudible one that ever was; that I was perfectly unfit for talking upon commonplaces; that if I could do anything anywhere, it must be in committees, or in the way of reply; taking in pieces the arguments on the other side; that I never would, nor ever could, argue against my own opinions, verbally or in writing. He said he was not the man to expect it, as the Marquis of Rockingham did.

“Complained repeatedly of Pitt and Thurlow for breach of faith. Something had been concerted between him and Thurlow, that it was essential the king should not be apprized of. Thurlow promised him in the most solemn manner, laying his hand on his heart, to keep it secret. He went and told it the king immediately.

“This passed in the room where we were sitting. On the day of his (Lord L.’s) resignation, there was a meeting of Peers on that occasion at L. House. Pitt, fearing the intimation of resignation was not sufficiently explicit, came out to him from the Peers to desire he would make it more so. He did; and then Pitt, having got his assurance, accepted the place. This story he told me at two different times. It seemed to sit very heavy on him; but I did not perceive either time wherein the treachery consisted, nor how Pitt was to blame. There seemed to be a tacit reference to some compact, expressed or understood.

“The Duke of Leeds a poor creature. Lord Sidney a stupid fellow. His own character he conceived to stand high in Europe: he was sure it did in France. He had received a very flattering letter from the late king of Prussia.”

On the subject of the Declaration of Rights, Bentham thus expressed himself to Brissot:—

“I am sorry you have undertaken to publish a Declaration of Rights. It is a metaphysical work—the *ne plus ultra* of metaphysics. It may have been a necessary evil,—but it is nevertheless an evil. Political science is not far enough advanced for such a declaration. Let the articles be what they may, I will engage they must come under three heads—1. Unintelligible; 2. False;

3. A mixture of both. You will have no end that will not be contradicted or superseded by the laws of details which are to follow them. You are deluded by a bad example—that of the American Congress. See what I have said of it in my new 4to volume—the last page of the last note. Believe not that this manifesto served the cause. In my mind it weakened that cause. In moments of enthusiasm, any nonsense is welcomed as an argumentation in favour of liberty. Put forward any pompous generality—stick to it—*therefore* we ought to be free—conclusion and premises may have nothing to do with one another—they will not be the worse for that. What, then, will be the practical evil? Why this: you can never make a law against which it may not be averred, that by it you have abrogated the Declaration of Rights; and the averment will be unanswerable. Thus, you will be compelled either to withdraw a desirable act of legislation—or to give a false colouring (dangerous undertaking!) to the Declaration of Rights. The commentary will contradict the text. The contradiction may be persevered in, but this will only increase the confusion—heads will be weakened—the errors of the judgment will become errors of the heart. The best thing that can happen to the Declaration of Rights will be, that it should become a dead letter; and that is the best wish I can breathe for it. My first impressions have been strongly confirmed by looking over all the ‘projects’ which have hitherto had birth. It would be some remedy if any declaration were made provisional, or temporary. The National Assembly has more than once acted wisely in this particular; but would the impatience of the people tolerate the expression of doubts in a matter deemed so important?”

On De Witt’s letters, Lord Lansdowne says:—

“They are abominably stupid and uninteresting, with, however, some curious things interspersed, which I have marked sometimes with my nail, sometimes with doubling the leaf at top or at bottom, and sometimes with a pencil—you will read them in an hour. I thought

I had marked the four volumes of negotiations; but it’s no matter, for there is so full a table of contents that you will easily find what’s interesting. I read them chiefly with a view of tracing the designs of the French upon the Low Countries, and the nature of their connexion with the Princes of Orange before Louis Fourteenth and William Third’s time. You will find several curious particulars upon both these heads, and the book, in general, well worth reading. I wish, if you read it, you would be so good as to mark for me whatever can be applied to modern times.”

A letter of George Wilson’s, of the 5th of July, has the following passage:—

“I received, a few days ago, an unpublished book of my friend Gregory’s, on the old controversy of liberty and necessity,—in which he undertakes to *demonstrate* that the doctrine of necessity leads to conclusions, which are, some of them false, and others absurd. The following paragraph is transcribed from his letter:—‘and one for your own perusal, and your friends, Bentham the usurer, and Trail, and Trail’s brother. I have great confidence in the soundness of your four heads, and the fitness of them for strict reasoning. I take it for granted that you will all dislike and distrust at first my mode of writing and reasoning. Possibly some of you may have a different system from mine as to my conclusion. So much the better: you will examine my argument more rigorously, which is just what I want. If it swerves in the least from the strictest mathematical reasoning by necessary inference from principles that are intuitively and necessarily true, then it must be arrant nonsense. If any of you can show me any error in the chain of reasoning, I give it up for ever, and shall suppress the work, and shall think myself much obliged to you for preventing me from exposing myself by publishing nonsense. I make the same offer to Priestley, who will be in very great wrath at the essay and the author of it.’

“I shall, therefore, unless you forbid me, send it to you in a day or two, and if you make any observations on it, shall transmit them to the author; but, at any

rate, you must let me have it again in a week, because I am instructed to send it to another person before I leave town.

"I wish you joy of the complete victory of the Commons.

"In a late number of Mirabeau's letters to his Commettans, which Romilly has, or will send you, are six principles relating to the manner of debating, translated verbatim from you, without acknowledgment, and without reasons, which, he says, he may add hereafter. I believe it is true that the troops refused, or were ready to refuse to act. I heard from good authority, that the Duc du Chatelet, who is colonel of the French Guards, told the king that he could not answer for his men. Our papers—I think the *Diary*, says, that they were all ordered to their quarters, but refused to be confined; and that, for several days, they walked about Paris, feasted by the inhabitants; and that all the coffee-houses in the Palais Royal were filled with them. After the junction on Saturday afternoon, Bailly adjourned them to Tuesday."

Bentham answered thus:—

BENTHAM TO GEORGE WILSON.

"DEAR WILSON,—I am much flattered by Dr Gregory's intentions in my favour, and concerned that it is not at present in my power to profit by them. My time is so much engrossed by subjects that will not wait, that I have none to spare for anything else, much less for one which would require not only the whole of the interval allowed me, but many such, to do it tolerable justice. When printed, I shall take the first opportunity of reading it. It seems to be a subject, of all others, on which a man need be least apprehensive of exposing himself: seeing how excusable error is, and how many illustrious names he will find to countenance him in it.

"The above is ostensible and copiable. *Entre nous*, I don't care two straws about liberty and necessity at any time. I do not expect any new truths on the subject: and were I to see any lying at my feet, I should hardly think it worth while to stoop to pick them up—not but that I will read it when it comes out,

and be ready to talk with him upon the subject *vivâ voce*, if ever he should come within my reach. I am sure you must have gone before me in regretting that a practical professional man should stand forth as an author upon subjects so purely speculative. Have you had, or will you have self-command enough to forbear communicating those regrets to the author to whom they can present no other ideas than what must be already present to his mind, and to whom, in the nature of things, they cannot be of any service. Should you ever have a hobby-horse of your own, you will feel how tender its hoofs are, and how little it can bear to have them trod upon.

"Gregory being your particular friend, I suppose, if you can find time, you will not refuse him the benefit of your revision to see whether there be any such palpable defect as should render correction indispensable, or suppression necessary, if correction should be impracticable. This which you are desired to do is a very different thing from throwing cold water on the whole design, which certainly you are not desired to do. It would be contrary to my principles to ply you with this advice, were it not to save another man from advice which would be more burthensome.

"As to the *Leyden Gazette*, my arrangements are not yet formed, but will be before you go. In the meantime, let them come to me, if you please, as usual.

"The victory of the Commons I had full intelligence of on Wednesday, and was coming to you with the news, but was stopped by business which would not wait.

"The Duc du Chatelet, you have heard by this time, has resigned.

"There was a report yesterday about town, that the Count d'Artois had once more prevailed on the king to go back to the old system—that the command of the troops had been given to the Marshal Broglie—that the French Guards had been sent to a distance, and 30,000 *Foreign* troops sent for to curb the capital and the States-General. This, as to the latter part of it at least, must be nonsense. What clouds were the 30,000 *Foreign* troops to come out of?

"The No. in question, of Mirabeau, I have before me. The manner in which he has spoken of communications made him by another person, is not altogether what *ours* would have been: especially yours in the same case; but it is but a previous notice, and probably when the engagement comes to be fulfilled, the proper acknowledgments will accompany it. He could not with Dumont *en tête* mean anything dishonourable.

"Trail tells me of his brother's being come to town; but when I desire to know where he lodges, that I may call upon him, does not answer me. I must confess myself unable to comprehend his wishes and intentions with respect to me, or to account for his conduct on the supposition of his wishing either to put an end to our acquaintance, or to continue it. In the latter case, I know full well what I should have done in his place many months ago. Adieu.

"Hendon, July 8, 1789."

Lord Wycombe visited Russia in 1789, and was introduced to Colonel Bentham by his brother in these terms:—

BENTHAM TO HIS BROTHER.

"This is a letter which I am desired to write to you, for the purpose of introducing to you the Earl of Wycombe. God knows when and where, if at any time and anywhere, it will be delivered to you. And who is the Earl of Wycombe? you will say. Why, he is the eldest of two sons of the Marquis of Lansdowne; as good a creature as ever breathed, and just what, from his countenance, you would imagine him to be. It is proper that you should know that he is a little deaf, in different degrees at different times—people hope that, as age advances, the infirmity will wear away. If this does not, I know of nothing else that should prevent his taking a leading part one of these days in public affairs. He has already begun to feel his ground, by taking a leading part in some novel propositions, and getting people to his side in a committee on the last Westminster election. Whatever intents he may be able to muster up, will be supported in the most powerful man-

ner by an excellent and amiable character, which I dare venture to pronounce will never quit him. To this point, however, I speak rather from universal report than from particular experience. His father has opened to me a good deal of late, and I am become one of the Cabinet Council there, dining there regularly every week. With his son I have not equal intimacy, nothing in particular having happened to lead to it. Your age and character fit you better for an intimacy with him: the school-masterishness of mine acting naturally as a repellant. His father and I have lately come to a variety of explanations, and the result of it is, that he is as zealous as myself for universal liberty of government, commerce and religion, and universal peace. Consequently he is fond of the French; but the son, notwithstanding the unfeigned affection and respect he seems to feel for his father, is hitherto a sort of an Antigallican."

Among the papers relating to French politics, transferred to Bentham for his opinion, is one written by Benjamin Vaughan, and addressed to Turgot. It contains suggestions of considerable value:—

"The ladies and women of France are equally patriotic with the men. Why not call this patriotism into immediate action, by an animated and flattering address made to them by the National Assembly? Good order, economy, education, and perhaps a rural life, are natural objects to which to direct their cares; and in favour of the three first, they are capable, perhaps, of being made perfectly enthusiastic at the present moment.

"May not the National Assembly be separated into two parts, when deciding upon some subjects, and remain undivided when determining upon others; since a division gives the king a negative upon what passes, whenever he gains over a half of either of the divided bodies, (which is only a quarter of the whole)? Thus, for example,—may not the Assembly preserve its general form for general and ordinary affairs, and be divided, for whatever peculiarly respects the king, nobility, or higher clergy?"

"A division has been proposed, by throwing the nobles and church dignitaries into one body, and the rest of the deputies into another. But might not a part of the National Assembly be made *more or less* permanent, (this part to be selected by the choice of the public, of the Assembly itself, or of the king, as shall be most agreeable;) and thus, by changing a part of the Assembly rapidly, and another part at more distant periods, the influence of a *sudden* national enthusiasm upon the legislative body receive a check?

"Instead of the nobility and high clergy deputing themselves at the general elections, might not the choice of the deputies out of their bodies always rest with the public at large? The deputies for these orders would still be nobles and church dignitaries, but they would be the persons of the order most agreeable to the *public*. They are now the persons of the order most agreeable to the *orders*.

"England has obtained her ascendancy in Europe by her money, and by the nature of her forces, which are ill-suited to continental conquests. If France dismisses her foreign troops, and reduces her national land forces one-third, or one-half, and trusts more to her militia, navy, and fortresses for self-defence than at present, she may obtain and employ great resources of money; and, by increasing her naval forces, she may become more independent of other nations, as having little need of intriguing with foreign powers for the use of *their navies*. When her navy is more on a par with that of England, she may be more tranquil about England.

"Why need the power of making *war* be left anywhere but in the nation? Is it true that a king can, in fact, begin a war with the advantages of *secrecy*, when, in general, it is seen that armaments are now always made proportionally on each side, previous to a war; and that in the forwardness of these armaments, lies the aptitude of beginning a war? On the other hand, will not a constant attention to self-defence prevent much of the danger of a surprise, in case of being attacked? A king may

readily be allowed to make a *peace*, and his people can always force him to it, should he be backward when they want it on their side. Or, if he is to have a power of making war, may it not be after obtaining the consent of a council of secrecy to be chosen by the National Assembly, to confer with him on this subject; which council might be a standing institution, the members changing from time to time? To fetter the king in declaring war, is not to lessen his *executive* powers; he may conduct the war, and in this be executive; but to declare who shall or shall not be deemed a national enemy is to make the king *legislative* in a most important point.

"By stripping great persons of their court pensions, and of their feudal privileges on their estates, many will be reduced to nothing. The state must, naturally, take care of the *creditors*, at least of the persons whom it thus deliberately ruins; but how are the individuals, so reduced, to be made easy in their new situation, and kept free from faction and intrigue? Will not a sumptuary law operate in their favour, by checking the insulting ostentation of others who are less reduced in fortune? To prevent the sumptuary law from lessening the employment of the poor, and of the manufacturers for *home* consumption, (who alone need be much affected,) the public purse must be opened, or some of the lands forming part of the king's domain must be given to them, upon which they might settle, with the loan of a capital or certain immunities; similar to what happens in the colonies, for these would in fact, be *internal* colonies. Till these, or other resources, are prepared, it will be difficult for a sumptuary law not to do mischief. A sumptuary law may vary in different parts of the kingdom.

"Till France puts her post-horses into private hands, as in England, collecting the duty of travelling, through the medium of inn-keepers, her internal communications never can be perfect or secure; for the actual system is particularly calculated to suit the return of despotism and the race of spies.

"Might not monasteries of every kind

be gradually abolished, by directing, that as the individuals composing them at present die, none shall fill up their places; but that the dying persons shall have liberty to give away by will, to any *individuals* whatever, a certain portion of the property of the foundation which had supported them, government coming in for its share at each death? A few monasteries might or not be preserved, as shall seem prudent, upon the old plan; or persons might live as monks and nuns at their own expense."

In a letter of Dumont to Bentham, dated 27th Sept. 1789, he says:—

DUMONT TO BENTHAM.

"I have shown your plan of Parliamentary Tactics to M. de Mirabeau and the Duc de la Rochefoucauld, and some others, who have admired this truly philosophical conception, and this *ensemble* which forms the system of a work absolutely new and original. In completing it, you will fill up one of the blanks of political literature, and nobody can do it but you; for you alone have surveyed the whole field, and laid the foundation of the edifice. Not that I promise you a prompt success,—for the French are yet but children stammering in their National Assembly,—no order,—no sequence,—no discussion,—they are driven to and fro by chance,—anybody will be president, and they have all the mania for doing all. Imagine an assembly composed of discordant elements—the commons have incensed the clergy by taking away the tithes,—the nobility are still exasperated by the remembrance of their forced union,—they consider themselves as prisoners of war, and men make no sincere peace with their conquerors. The two parties only agree each to check the other, and to hold the whole assembly in a do-nothing fermentation."

A speculation of Lord Wycombe's, in a letter dated from Petersburg, October 17th, 1789, is worth preserving:—

"It may fairly be presumed, that, at no very distant period, the situation of the southern parts of this empire will be materially altered. When the Turks are

driven out of Europe, or even when the navigation of the Euxine is opened, commerce will assume a different shape, and the larger portion of that vast produce which is supplied by the interior of this country will seek its way to foreigners, through the channel of the Mediterranean. The consideration which has hitherto been justly given to the Baltic, must then proportionably diminish, and the same circumstances of expediency which occasioned the establishment of the capital in this inhospitable corner of the world, will tempt a future sovereign once more to change the seat of government. The stately palaces, which at present decorate the banks of the Neva, will be left to moulder into ruin; the advantages of trade and population will find their way to districts which must now be considered as inanimate, and resources will quickly develop themselves, which have hitherto been unknown to this, or indeed to any other nation. Such I conceive to be the prospects of the ensuing century: you may perhaps laugh at my predictions, and say that I am neither a politician nor a prophet. I have, however, no small confidence in the persuasion, that a revolution, in some degree resembling that of which I have traced to you the outline, is likely to take place; but of this time must be the test."

The following piece of pleasantry (in Bentham's handwriting) professes to be a letter written by Miss F——, to Miss V——, giving an account of Bentham himself:

"Well, was there ever anything so designing as Lord L.? I might well have my suspicions: and the oddest accident in the world has enabled me to convince you of the justice of them, by such proofs as you could little have expected. Just now, Mr B., as he was leaving the room, pulled out his handkerchief, and the enclosed dropt out of his pocket unperceived. As it fell into one of the elbow-chairs, where he was sitting, next mine, the handwriting involuntarily caught my eye: so, as nobody happened to be looking that way, I whipped it up, and here you have it. Send it me back, that I may toss it

into his room some day when he is not there: he will think he dropt it there himself. You see Lord L. knew what he was about, and knew how much we were against having Mr B. here; so he writes to him to beg our leave; but as we heard nothing from him, we conclude he was afraid to write to us, and that Lord L., when he saw him, told him some story or other, to make him believe we had forgiven him. I forgot to tell you, he said that he had written the other letters which are escaped: one, a further journal of the society, which he burned on finding that none of us took any further notice of them; another, a penitentiary letter to Lord L., which he wrote in a fit of the gripes, and burned because it was too foolish.

"Would you have thought it? Wycombe is as bad as B. Here we have got Mr B. again. We said everything you desired us to Lord L.; and as there came no more foolish letters, we were in hopes we should see nothing of the foolish writer for the time at least. Lord L., as you may imagine, said what he could to excuse him; but as he saw it would not do, he gave it up at last, and there was an end, as we thought, of Mr B., for this year at least. Our evil stars had decreed otherwise. T'other day, as we were at L. House, talking about our returning here, as there is room for one, says Lord L., 'I have thoughts of taking down Mr B. with me, if you have no objection.' How could we help ourselves? As there were other people in the room, to have said, No, would have seemed particular. We looked at one another, each expecting the other to speak, and, as neither spoke, silence gave consent, and so it was concluded. You may imagine what passed when Miss E. and I found ourselves alone. We vowed we would not suffer it; but who should attack Lord L. about it?—there was the difficulty. Miss E. wanted to put it off upon me, saying, it was more my concern than hers, as I should be plagued with him most. I said it would look very odd for me to speak about such a thing instead of her; and so, as neither of us could pluck up courage to be spokeswoman, there was nothing to be

done but patience. Don't you think it was rather unkind in Lord L. to take us in that manner, at a disadvantage? Miss E. says, it was only thoughtlessness—but I won't believe any such thing. That's no foible of Lord L's, I am sure; as if it were possible he could have so soon forgotten all that we said to him about the letters. That comes of your not being here: if you had, a glance from you would have been sufficient—not that you would have been put to the expense, for he would not have dared mention any such thing. I can't think, for my part, what Lord L. can see in the man, that he wants always to have him about him, he seems so attached to him; and so says Miss E. But you know he likes to have odd people about him, and always did. Then these political men, it is so difficult to know what to make of them: they may have their reasons for harbouring such fellows, that they won't let us women hear of. Though he pretends to tell you everything, I have my suspicions to the contrary: and this, amongst other things, is a proof of it. Who can tell but that Mr B. may know of something that Lord L. has done—that my uncle Charles, if he were to hear of it, would impeach him for? Lord L., I do believe, is as honest as any of them; but as I often heard them say it is impossible that a man can have been minister without doing many things which he could not answer for, if he were called to account. If so, he is more to be pitied than blamed; and it may be very necessary for him to keep this man in good humour; besides, though one were sure of getting off, there is nobody that would like to be brought into trouble, you know, if they could help it. To do the man justice, he has not broke out yet, that we know of, in any shape. I don't recollect anything in particular that he has done or said amiss as yet, either during the journey or since; nor Miss E. neither. He has not offered to knock down Miss E. once, nor me either, though he has had several books within his reach. One thing is, indeed, certain—he is grown mighty humble since his disgrace, and hardly dares to look up or open his mouth. This is worse

than before: if you must be troubled with one or t'other, better have a merry fool, say I, than a melancholy madman. He has not dared to tease me yet, at least, about reading; and as to writing, I think he has had enough of that to mortify him for a while. I don't think he will be soon at that again, after the mortifications he has undergone. Suppose now, you were to give him a line or two to tell him you will endeavour to forgive him, and that one thing, I will venture to say for him, that if ever a creature of his sex had a true respect for one of ours, he has for you. This will set him to rights again: as it now is, he goes moping about the house at such a rate that it is enough to give one the vapours to look at him. Miss E. speaks to him now and then, and so do I, to try to raise his spirits; but all won't do, while he is in disgrace with you. I don't mention this as any merit in him, only that it serves to show that there is one thing in which he is like other people. By Miss E.'s advice, I let him accompany me again: you know it would look particular to refuse him; and Miss E. observes, that as you know who seems to like music, I may as well make use of this man as not, to keep my hand in, as I can't have Mr Schuman here. As Lord L. says, I don't think he ever means any harm; and when he does, or says anything amiss, it is only through ignorance; then you know how submissive he is, so that one might do what one would with him, if it were worth the while.

"I can't say but that I thought you rather hard upon him, when you reproached him with not having learnt of you what you had never tried to teach him. Not that he did, or said anything at that time, to call for it; but as Lord H. was by and nobody else, I thought it would have been a good opportunity for him. No lessons, as you have often observed, are so impressive as those which are offered by contrast, and it was in this view that the wise Spartans exposed their slaves to view in a state of intoxication, in order to inculcate sobriety on their children.

"Enough, you will say, and more

than enough about such a subject. But what else can one write about? For there is not a creature here but him.

"Miss E. joins with me in love, and so forth: Kiss my dear cousins for me a thousand times, and believe me ever, my dear aunt, &c. &c.

"Excuse the trouble I shall have put you to, to make out this scrawl—the pens here are so bad that I declare I hardly know my own handwriting.

"Don't let Miss E. know what I say, but the truth is that Lord L. does just what he pleases when you are not here.

"Yesterday, for example, as soon as tea was over, as you were not here to play at cribbage with him, he took himself off to the Land of Nod, where he remained till supper time.

"Perhaps you gave him the meeting, and he got his usual number of games, in spite of distance. I would have asked him whether that was not the case, if Mr B. had not been by. Miss E. was busy at her plans and elevations, and there sat Mr B. like a post, and never said a word to me about music, until it was time almost to have done. I could not help wishing for you, were it only to have given him one of your lectures upon behaviour."

Bentham visited Oxford in this year with the young Earl of Shelburne. In the chambers of Mr Parker, afterwards Earl of Morley, Canning, then a youth with a freshman's gown on his shoulders, was pointed out by Lord Lansdowne to Bentham as one likely to become the Prime Minister of England.

A letter, dated Tobolsk, 3d December, 1789, from Colonel Bentham to his brother, gives some interesting particulars of the state of things in the South Eastern Russian frontier:—

"I wrote to you at my setting off for Siberia, telling you of my having received the command of two battalions, belonging to the corps there: each battalion is similar to the one I commanded at Crichoff, but they are a great distance one from the other, according to my desire. The one, at which I am at present, occupies a space of about 200 versts, on the frontiers towards the Kirgises: you will see, in the map, a line of fortresses,

and foreposts, as they are called, (how little soever they deserve that name,) all along the Kirgisian frontiers; all those from Chernovitsh to Semiarsk, besides my battalion, which is quartered within that distance, together with so much of the frontiers are under my immediate command, during my residence here; Yarnischoff, which is likewise a town, should be my quarters, and the house there is larger and something better than the Crichoff one is; but as the commerce or barter with the Kirgise is carried on at Korohoff, 50 versts to the northward, I choose rather to reside there the short time I shall probably remain in one place. My neighbours, the Kirgises, are as peaceable at present as one could wish,—and though they steal a few cattle, or now and then a man or two, upon laying hold of one of the tribe, everything is returned. They assemble every day on the other side of the river Irtysh, which marks the boundary, bringing with them skins of different kinds, horses, oxen, and sheep. These they barter for cheap clothes, leather, iron-work, and trumpery ornaments. It is reported that there are some mines of silver and gold, as well as copper; I am, therefore, preparing to set out in two or three days, on an expedition amongst them, not conceiving they are people any ways to be afraid of. My General will not give me leave to go more than 50 versts into their country, but when I get so far, no one can stop me, and I must be doing what no one else has done before me,

“After having spent about five weeks with the Kirgise, and in that time rode about 1200 versts in their country, I returned, well pleased with my journey. As I had an Englishman with me, a lieutenant in one of our battalions, he kept a journal of our tour in English; you shall one day or other have a copy of it. This Englishman, of the name of Newton, is son of a gentleman of property in Newcastle; he served at the taking of Ochakoff, and then, at his desire, was sent to me by Prince Potemkin; he arrived just in time to accompany me to the Kirgise; and, as I have various propositions to make to the

prince, I am preparing to despatch this Mr Newton express to Petersburg.

“I am at present at Tobolsk; in the month of June, I was here in my way to my battalion, and I then despatched the Englishman I had brought with me from Cherson, to examine the mouth of the river Ob, and a small part of the coast of the White Sea, with a view of attempting a communication with Archangel. There is no doubt of this passage being, at certain times, practicable; but the object is the ascertaining the degree of danger and delay occasioned by the drifts of ice, which, even in summer, by certain winds are brought upon the coast, so as entirely to interrupt the navigation. Some of the people are come back, having made a chart of the river and part of the Gulf. But a Russian captain, with some of them, will pass the winter in travelling by land about the coast. The last summer they had nothing but an open boat; but, for next year, I hope to find means of building them a vessel in which they may go to sea. An officer, and 50 men I have brought with me from my battalion, are to be employed in preparing a vessel for this expedition.

“Having settled this business, I set off for my other battalion, which is at about 3500 versts = 2600 miles from hence, and about the same distance from the other. Its quarters were on the other side of the lake Baikal, in the neighbourhood of Kiaktha. It was for the purpose of getting more intelligence about the Chinese frontiers, that I chose this battalion before the spring. It is probable I may then go to Petersburg, and I have permission to take a trip to England; but if my projects here are attended to, they may keep me here another year, before I can go even to Petersburg.

“I may truly say, I am pleasantly circumstanced enough,—enjoying a degree of respect from those I associate with, and meeting with none, who, if they were disposed, dare to give me any vexation. Here, at Tobolsk at least, I can associate with people of philosophy, talents, and amiability: moreover, the variety of my projects, and a present

good state of health, leave nothing but my attachment to England to cause any regret.

"While I was at Cherson, at the breaking out of the war, Admiral Mordwinoff had orders to give passports to any who would fit out privateers, as well in the Mediterranean and Archipelago, as in the Black Sea; but few people of enterprise presented themselves to obtain such permission. A Greek of the name of Lambro, whom the prince had taken into the service with rank of captain, seemed the fittest of all men for such enterprises; but money, the most essential article, was wanting.

"Lotteries and card-playing I had always avoided; but, in this case, besides the views of gain, the idea of setting an example, and a rising enmity against the Turks, induced Mordwinoff and me to raise a sum for the fitting out of Lambro. Mordwinoff gave 3000 rubles, and I and two others 1000 each; and with this, we sent him off to Leghorn, where he fitted out a vessel, and, prize after prize, became master of twenty-two sail. Of these, some were lost; but before I left Cherson, although we had got no account of him of the profits cleared from his prizes, I should have found no difficulty in selling my share. I chose rather to take my chance of the future success; and, according to the newspapers, our Lambro (called always Major Lambro) has done wonders. Besides so immensely rich prizes, he has taken fortresses and islands, and dares all the Turkish force. It is ten to one that he does not keep his head long on his shoulders; but though I have heard nothing from the parties concerned, I have no doubt but that they will look after their interest, and that mine will necessarily keep pace with theirs."

I possess a portrait of Bentham, painted in 1789, on the back of which is this inscription:—

THE PORTRAIT OF JEREMY BENTHAM, ESQ.
OF LINCOLN'S INN.

"A rare example of the most disinterested, shrewd, and independent spirit, who, soon after he was called to the bar

as a counsel, although possessed of abilities equal to any attainment in the law, found himself obliged to quit the practise of it, from the consideration of its subjecting him to the necessity of maintaining indiscriminately the cause of chicanery and falsehood, as well as that of right and justice. But he, nevertheless, continued to devote his time and his thoughts to the improvement of jurisprudence in general, and the development of errors in the legal system, not only of his own country, but even of France, in consequence of the Revolution that had lately taken place there; and to that end, he communicated to the National Assembly at Paris a plan, to be adopted by them for the improvement and establishment of a legal jurisdiction in that country, which was so well received, that he had their public thanks and acknowledgments, as appears by one of their periodical publications to the following effect: viz.

Un Extrait,

Du Courrier de Provence, No. 121.

Pour servir de suite aux Lettres du Cte. de Mirabeau à ses Commettans.

Séances du Lundi 22 au 23 Mars, 1790, p. 123.

VARIÉTÉ.

AVERTISSEMENT.

"Dans ce moment où l'Assemblée va s'occuper de l'Organisation du Pouvoir Judiciaire, nous présentons à nos Lecteurs comme une variété des plus intéressantes, l'extrait suivant d'un ouvrage manuscrit de M. Bentham, sur le plan du Comité de Constitution. Cet auteur Anglois, l'un des plus grands penseurs et des hommes les plus versés dans la Jurisprudence Législative qui existent actuellement en Angleterre, a consacré par pure philanthropie, un temps précieux à l'étude des Loix françaises, à la recherche de celles qui conviennent le mieux au caractère nationale, et aux principes de la constitution que l'Assemblée a adoptée."

An Extract,

From the Courier of Provence, No. 121.

To serve as a Continuation of the Letters of Count de Mirabeau to his Constituents.

The Sessions of Monday 22 to 23 of March, 1790, page 123.

VARIETY.

ADVERTISEMENT.

"At the moment when the National Assembly was going to be employed about the Or-

ganization of the Justiciary Power, we present to our readers, as a variety the most interesting, a manuscript work of M. Bentham upon the plan of the Constitutional Committee. This English author, one of the deepest thinkers, and most conversant in Legislative Jurisprudence of any who are now in England, has consecrated, from the purest principles of philanthropy, his valuable time to the study of the French laws, to the examination of such as are most suitable to the national character, and to the principles of the Constitution which the Assembly has adopted."

"And should this portrait ever chance to fall into the hands of any one (besides his own family) that may have the least inclination to know more of him than is above related, there is another portrait of him in full length, which, in 1789, was made a present of by his father to the Marquis of Lansdowne, at Lansdowne House in Berkeley Square, accompanied with a letter, explanatory of some particulars of that portrait, which, as it contains a further account of the original, and was honoured with an answer from his lordship, expressive of his esteem for the original, may possibly be considered as not altogether unworthy of notice by those whose curiosity may lead them to drop their eye upon the letters themselves, which are literally as follows, viz. :—

"MY GOOD LORD,—Your acceptance of a portrait of my eldest son is so flattering a testimony of your lordship's friendship and regard for the original, that I cannot let it go without making my acknowledgments for the honour it does him, by giving it a place where there is so noble and valuable a collection, that I could wish the piece itself had more pretensions to such a distinction. The portrait, at least the capital part of it, I mean the head, was done by Frye, a painter of no small eminence in his time, and was then looked upon as a very striking resemblance, how little likeness soever there may appear to be now; but by the death of Frye before it was finished, the under part was the work of a different, and I am sorry to say of an indifferent hand. The two stanzas inscribed on it were part of a copy of verses of my son's own composition in the collection of the university,

—verses upon the occasion of the death of the late king, and the accession of his present majesty, and were introduced into the picture for the purpose of denoting the time when it was drawn, he being then a member of Queen's College, Oxford, to which he was admitted when he was but thirteen years of age, and where he took his degree of A.B. at the age of sixteen, and his subsequent degree of A.M. by the time he was twenty, by which, as I was informed, he became the youngest graduate that had ever been in the regular course of education of either of our universities. With respect to the violin, which makes a part of the picture, it gives me occasion to mention, that before he was five years old, he wanted much to know the meaning of musical notes; and being told they could not be explained but by means of some instrument, a friend made him a present of a kind of violin called a kit; and as he had an ear, he was soon capable of playing several tunes, which afterwards encouraged me to give him the assistance of a master of the profession. That he has at present, and has always had so much of the philosopher in him, your lordship will probably think it the less to be wondered at when I tell you that some of those who knew him when only five years of age, used to call him by that name; and if he really was one, he must, indeed, be said to be the Minute Philosopher, although he could not be supposed to be one of those whom the late Bishop Berkeley attacked with so much spirit in a book he published under the title of the 'Minute Philosopher.' These few anecdotes I have taken the liberty to mention, by way of explanation of the picture, is the only addition your lordship would have occasion for to know as much of the person they relate to as his father, since, to the best of my recollection, he has past more days, and slept more nights under your lordship's roof from the time of his going from Westminster School to Oxford, than he has ever done under mine.

"As natural as it may be for a parent to extend his views and wishes with respect to his children, I am, however, become so much of a philosopher by con-

tracting mine as to content myself with the reflection, that the satisfaction my son enjoys arises so much from himself, that no accidents of life are likely to deprive him of it while he has that share of the health and soundness of mind which he has at present, and which seem to promise to be lasting.

"That it may long continue to be so when I am no more, is a wish with which, I persuade myself, your lordship will have the goodness to allow me to conclude the trouble I have now given you, together with the assurance that I am, with the most perfect regard, my good lord, your lordship's most obedient and very humble servant,

"JEREMIAH BENTHAM.

"*Queen's Square Place,
St James's Park, Nov. 24, 1789.*"

"*High Wycombe,
25th November, 1789.*"

"DEAR SIR,—No one could make me a more acceptable present than the picture you have been so good as to send me of your son. The character you give of him, makes his society invaluable to me, whose lot it has been, hitherto, to spend my life in a political hospital. His disinterestedness and originality of character, refresh me as much as the country air does a London physician. Besides, Lord Wycombe loves him as much as I do; so that his portrait will be sure to be respected for two generations: but I beg you will say nothing to him of the present which you have been so good as to make me.

"I hope you will present my respects to Mrs Bentham, and that you will believe me, with great regard, your faithful humble servant.

"LANSDOWNE.

"*To Jeremiah Bentham, Esq.*"

"MEUS CUJUSQUE IS EST QUISQUE."

As an example of the different styles of Bentham and Romilly, I give a passage, as it was originally written by the former and improved on by the latter. It can scarcely be denied that the emendations have enfeebled the text—and that the diffuseness of the elaborating critic

has added little to the clearness of the first conception:—

Bentham's Draft.

"The Sudder-Adawlut presents itself here, of course, to every one who recollects anything of English-East-India Judicature. To others how can this oriental field of judicature be pointed out? In English there is no name for it. In Hebrew some have rendered it *Aceldama*. To complete the triumph of iniquity, the chapel of St Stephen is now also marked out for an *Aceldama*. Is there nobody left whose honest zeal will stand forth once more and endeavour to cleanse it from such contamination? Does it follow that, because one parliament has refused to punish a Judge for not having reprieved a criminal indubitably guilty, another will refuse to punish?"

Romilly's Draft.

"The Sudder-Adawlut must here occur to every one, who is at all acquainted with the history of English-East-India Judicature. To those who are strangers to the disgraceful history, it must be difficult to express all the ideas which the right word conveys. The Hebrew language, indeed, has a word which may serve to explain them, which most men have heard of—*Aceldama*. The Sudder-Adawlut will not, it is to be hoped, be forgotten by the members of the British Parliament, now that they have a living memorial of it among themselves; for it will hardly be contended that a resolution by one parliament not to prosecute for one crime, can operate as a bar to the prosecution of any other parliament for any other crimes. A resolution of the House of Commons not to prosecute, will hardly be thought to have the wonderful efficacy which the law of England ascribes to the king's pardon, that of saving the offender from punishment, not only of the offence of which he has been convicted, but for all former crimes; and of doing away with, not only the amenability to law, but even the criminality of the offender; so that a man who stood one day at the bar of the House, charged with crimes and misdemeanours, shall, by the magic of a

single vote, be qualified to take his seat among the prosecutors of INDIAN DELINQUENCY."

The following is a letter written at this period to Brissot:—

BENTHAM TO BRISSOT.

"I have to thank you, my worthy friend, for your kind letter, received through the hands of a gentleman,—Bancal I believe his name is,—and several pamphlets of yours which accompanied it. I write this not for the sake of telling you with what pleasure I remember you, and how much I wish to be remembered by you, nor for the sake of letting you know what a great man I am become here, upon the strength of being able to reckon M. Brissot in the number of my friends: I have too proper a sense of the value of your time to think of taking up any part of it with common compliments or even amicable remembrances.

"It is for the sake of sending you a book, which I send likewise to M. Garra de Coulon, containing an account of a project of improvement for which there is but too much room in every country, and, I am afraid, not least in France: it is a mill for grinding rogues honest, and idle men industrious.* I shall say no more about it, as it says but too much for itself.

"To M. Garra de Coulon I send an extract of it in French, done by a friend of yours, which I wish to get before the National Assembly in some shape or other. The interest he has been pleased to take in my works in so public a manner, pointed him out as the properest person, indeed the only person, to whom I could send it, though, in every other respect, the most perfect stranger to me. I shall say no more to you. You love your country, you love mankind, you love that sort of morality, and that alone, which has their happiness for its object. If you think the project a good one,—such a one as promises to that end,—anything I could say to you in private would be unnecessary; if otherwise, anything I could say to you in the same manner would be to no purpose.

* The Panopticon Penitentiary.

"Look first at the large table at the end: it may perhaps save you the trouble of looking into the book: at any rate, do not plague yourself with the architectural details. Run over the preface and the contents before each volume. Supplicate Madame Brissot's protection for it; and if she has patience to read any part of it, let it be the letter on Schools. The book, though printed, has never been made public here. If you can find time for reading anything more about it than as above, the best way would be for you to get from M. Garra the memoir in French, which was too long, as you will see, to copy; and I suppose he would make no difficulty in showing you a short letter which accompanied it."

Nothing can more strongly show the high estimation in which Bentham was held by Lord Lansdowne, than the following letter of Lord L. to the Duke de la Rochefoucauld:—

"London, 1st April, 1790.

"MONSIEUR LE DUC,—Mr Bentham's name is already known to you, at least Mr Dumont tells me that you read and admired a short tract of his upon 'Political Tactics,' and you may have read another work of his, noticed by M. de Mirabeau, upon 'Usury.' He has, since the new organization of the judicial establishment has been proposed in the National Assembly, applied himself with incredible diligence to sift the proposition to the bottom, and to suggest another, from the best and purest motives possible. He has, for several years past, devoted his whole time to the study of general principles, and is, by an hundred degrees, the most capable person in this country to judge of the subject. He has just finished, and sends by the mail of this night, through the channel of the ambassador, one hundred copies to the President of the Assembly; and what I would request of you, M. le Duc, would be, to have it understood that it is the work of no ordinary person, that his time is valuable, and that his work certainly deserves more than ordinary attention.

"I love him very tenderly as a man, to the full as much as I admire him as

an author, and look up to him as a lawyer; but this makes no part of the motive of anything I say. I know, M. le Duc, that you are governed by motives of a much higher nature; and I flatter myself that you give me credit for not being insensible to the same feelings in regard to your country, as well as my own."

I give some farther fragments of Bentham's playful correspondence with the ladies of Bowood:—

"Which of my guardian angels, I wonder, is this? The gravity and dignity bespeaks my former correspondent; but the cypher on the seal seems to indicate a new one. The ice, too, if my thermometer does not flatter me, is not quite so hard as it used to be: a spark or two of the compassion I once experienced in a manner not to be forgotten, seems to have fallen upon it. Favours like this are a bounty upon ill-humour. I must e'en pout on were it only in this view, as a froward child, that has been used to have its crying stopped by sugar-plums, keeps on roaring to get more of them. Query, what degree of perverseness would be sufficient to procure a sugar-plum from Miss F——?"

"Come now, I will give you a piece of dramatic criticism. Did you ever happen to hear the true history of Othello, and what it was made him take on so when he found the handkerchief was gone? It was the inconvenience he considered it would put him to, to get such another in Cheapside. *Apropos*, how many people have you just now at Bowood? When you write next, could not you go round the company, apron in hand, and collect enough, at a penny a-piece, to put the matter upon a level for me in point of convenience?"

"See what it is to be a guardian angel: to have no passions, and to be made up of nothing but prudence! Such superior beings know not how to lower themselves, even in idea, to the condition of poor, frail, suffering men: one of whom would not bate three words, though it were only on the outside, from the hand in question for elevenpence three-farthings. . . ."

"This ought to have gone sooner, but

I was in London yesterday (Friday) when yours arrived here; and to-day I could not leave off kissing it, time enough to answer it, before the post went out: so this of mine will not go from hence till Monday.—Ha! what does the fellow say? Kissing, indeed? Yes, madam, with submission, kissing. Is there any law against kissing paper, and that at a hundred miles distance from the hand that wrote it? . . .

"Well, it is a rare thing for one poor frail mortal to have three guardian angels, but this last is a sad severe one! You who know all my pursuits, will you be pleased to give me a list of those in which I have manifested this want of perseverance? As to the French business, the time for perseverance is at an end, and yet I persevere. A sixth number is at the printer's completed, and more than half of it printed; not to mention others, which may as well come from my executors as from me. It is very good in you to take me under your wing, and very natural to recommend me to your other protégés, the bishop and archbishop. Bishops must be strange bishops, if angels speak to them in vain. Under such inspiration, it would be incredulity to doubt the willingness of their spirit; but what could their flesh do for others in an assembly that has decreed to reduce them to skin and bone? No, madam; there, or elsewhere, I persevere, with reverence be it spoken, for mere perseverance' sake, and without the smallest prospect upon earth. I have preached to them: they have turned their backs upon preachments, with a contempt scarcely exceeded by that which they have manifested over and over again for their own successors, for ever and ever, whose hands they are tying knot after knot, satisfied that, with the present irregularly chosen and semi-aristocratically composed assembly, so lives and dies all will of their own, together with all common honesty and common sense. They have rejected my preachments; and now what remains for me, but to take a leaf out of the book of disappointed preachers, my predecessor and first namesake among the number, and

follow up my rejected preachments by croaking prophecies?

"O rare Mr Romilly! what a happy thing it is to 'succeed beyond expression,' where a man would wish beyond expression to succeed! What would Mr Romilly give to see this concluding paragraph, were it possible that a success, which is no secret even to me, should be so to the succeder? You angel, who know everything that passes, or does not pass in the bosom of me, a sinner, so much better than I do myself, say how long I have entertained so heroic a friendship for Mr Romilly? That I regarded and esteemed him, on account of so much as I know of his political principles, I was myself aware; but friendship is with me a sacred name, scarcely employed till after a degree of mutual explanation and *épanchement du cœur* which seemed approaching, but, as yet, has scarcely taken place betwixt me and Mr Romilly. Howsoever that be, to confess the truth, (for I know you love to amuse yourself with confessions,) this late inexplicable success of his is somehow or other better calculated to raise him in my esteem, than in my affection. To have seen the same thing in Runic characters, would have given me a satisfaction tolerably pure; but in this delicate Italian, the dose is rather of the strongest. To be thus lugged in, head and shoulders, a man need not repine; otherwise, to be sure, never was man lugged in, head and shoulders, in a more egregious manner than this same happy one Mr Romilly. As to the news you ask about Bowood, this is another instance of omniscience overshadowing ignorance. D—I a bit, madam angel, would Sancho Panza have answered in my place, did I say a syllable that I know of about news. I was neither in the humour, nor had any pretension to put any such queries; but there are some sorts of news which one gets without asking, and which jump into one's mouth without its being so much as opened for them. O rare, once more, Mr Romilly! Did not you hear a gun go off? No, not I. Well, now we are talking about a gun: I will tell a story about an acquaintance of your cold uncle's. The business that

you know of has led me of late to consult with an architect, a man of *vertu*, that other great men have consulted likewise. Calling at his house t'other day, by appointment, at half-past 12, no Mr R. was there, nor was expected till 2.* Instead of him, I was introduced to the pretty Mrs R., an old Constantinople acquaintance. He came in rather sooner than expected, and found us occupied—how, do you think? Just as you and I might be: she at her pianoforte—I scraping upon a fiddle. He could not imagine who his wife had got with her. There were but two fiddle-players ever came there—Mr such-a-one and Mr such-a-one. And he knew that they were both at a great distance. Besides being pretty, which is nothing to anybody but her husband, and painting, and speaking all languages as well as any master ever heard, she plays upon the pianoforte beyond expression, which will doubtless give you satisfaction on account of my fondness for music, not to mention virtuous and accomplished pretty women, who are to me what pretty pictures are to your cold uncle. I question whether I shall be able to fix him in Ireland, (an idea not of mine, but of Mr Vaughan's, if you please,) even if I go there. He is loath to leave his papa, a queer, impertinent old prig, whom I saw; and he is frightened out of his wits at the thoughts of oath boys and white boys, whom, he conceives, form all the Dublin company.

"He talks of going backwards and forwards to do the business if he gets it, in which case his rib, which is the best part about him, would, I suppose, be left behind. I intend to have a magnificent organ, you must know, to help to humanize, amongst other things, my brute in human shape. It would be a good thing to bribe her with a magnificent organ, and the place of organist, were it only to take this poor innocent creature out of the way of such specious men as your cold uncle and his grave son, who, it seems, are not unknown here. The way is, for one of them to go on pretence of inquiring for the other.

* Mr Revelly the architect. See the commencement of Ch. ix.

What charming things are paternal and filial affection! but they are their own sufficient reward, neither will get any other there.

"Does your omniscience know anything stronger than my vanity? Yes! my discretion; and I will give you the most convincing proof of it. Not a creature will ever know from me of my having received this angelic letter, more than he knows of any of the former ones: that is, not a creature breathing, except such as may have heard of them from the writers. If there be such a thing as self-denial virtue, this is; for never was king of Siam vainer of his white elephant, than I am of this favour from the whitest and most beautiful of all hands,—I mean, always provided you will be quick and give me such another: otherwise it will go to all the papers, and eclipse the Munro and Mac-whatis-it? controversy. Is not this in your catalogue of honest note?"

The mind of Bentham was strongly set on obtaining a seat in Parliament, and he conceived that Lord Lansdowne was pledged to bring him in for one of his boroughs. Disappointed in his expectations, he addressed the following remarkable letter to his noble friend:—

BENTHAM TO LORD LANSDOWNE.*

"MY LORD,—My return hither brings me to the irksome but necessary task of conclusive explanation. The subject is no secret to you. Since the starting of it, the sound of the word justice has tingled in my ears. Everything turns upon the coincidence or final disagreement of your Lordship's version and mine. The last time I found you with the gout, and complaining of its effects on your head. This was an effectual bar to any discourse which might run any risk of adding to your uneasiness. It may be as well as it is. Conversation is apt to draw into digressions, to leave things half-explained. I revert to the first morning. Justice, you said, stood in your scale of pretension above principles. The opposition might seem singular, and would require explanation

to a third person: but we understood one another; and that is the end of language. Justice, then, was to be preferred to principles. Such then is the maxim; and the application of it is, that those who have been preferred had, and as it should seem always will have, justice on their side; and that justice was not, nor ever will be, on mine. It has been my misfortune to conceive that, as to the future at least, it is I who have justice on my side, and that nobody else has; at least for anything that was said in explanation at the time.

"I admit very freely, and find the most heartfelt satisfaction in being able to acknowledge, that whatever disappointment my past hopes have met with, has nothing in it incompatible with justice: adding, with equal frankness, that that satisfaction would altogether fail me were the remnant of them to meet with the same fate.

"Another satisfaction I have is, that there did not appear the smallest disagreement between your lordship's recollection and mine of the conversations on which those hopes were founded. You mentioned parliament to me in the precise terms; asking me whether I should like to have a seat there. My answer was in substance, that it was more than I could possibly assure myself how far I might be able to do anything in such a situation; that, besides the want of fluency, the weakness of my voice might, for aught I knew, be an insuperable bar to my being able to make myself heard, in the literal sense of the word, in the House; but at any rate in Committees, I flattered myself I might do as well as other people. I spoke according to my fears. How could I speak otherwise on the sudden with regard to a situation of which the idea was so new to me? I think it was on that same day your lordship was pleased to say several things about my fitness in other respects for public business, and about the terms of connexion, in such a case, between a nominor and a nominee. Admitting, and not discommending, the strictness of my principles, and my singularities in that and other respects, you took notice with declared satisfaction that you

* Taken from a scroll.

saw in them, however, no reason to apprehend their rendering me, as similar causes had rendered other people whom you had put into such a situation—Lord Stanhope, for instance,—visionary and impracticable. That it was the way of some people, Lord Lonsdale, for instance, to require of his nominees an implicit observance of his will, and that that was not your way: and that though, as to the great lines, a man of course would hardly think of pitching upon one whose notions differed capitally from his own; yet, as to details, you should never think of hampering men or exacting from them any compliances incompatible with their own notions of honour and propriety.

“What was I to think of all this? Could I suppose a thing of this sort was thus thrown out and dwelt upon without reflection or design? Was there any want of time for deliberation on your part? Are these the sort of things which people throw out without a meaning? Was it that sort of thing which it was natural for a veteran statesman, a man who had been Minister so often, and in so many shapes, to toss like a bone to the first animal that came in his way, for want of knowing its value? Was it like an expedition to the play, or a morning's walk to see pictures; a thing that might be mentioned one moment, and equally out of the memory of both parties the next? Could any man with the most decided intentions have mentioned it in a more decided manner to one of whose inclinations on that head it had not as yet occurred to him to be informed? Was there in the nature of things any other or more deliberate way of mentioning it? If it was not meant, it should be taken as an offer to raise expectations not then determined to be fulfilled, was it not natural to have intermixed something in the way of caution not to look upon it as absolute? Could I suppose that an offer thus made and dwelt upon in a *tête-à-tête* was thrown out as a mere lure; that the only intention of it was to feed me with false hopes, to sport with my sensibility and my gratitude, with my sympathy for your own afflictions, with my honest and, as you well know, not interested ambition, and

to rob of his tranquillity the man you were marking out for your bosom friend? What had I done to deserve, if any man could deserve, such treatment at your hands? Could I suppose, that to a man tortured and worried as you had been, a man of a frame of mind surely not naturally hard, and at that time, above all others, worn and softened by a complication of distress, it was a matter of amusement to look out for some obscure and unoffending individual, whom he might bite, on pretence of an embrace, and that all this confidence, and tenderness, and kindness, was only a project for a good joke?

“Could there be a more decided bargain in a transaction which, from the very nature of it, was all grace and kindness on the one hand, all gratitude on the other? Was it not, to every intent and purpose, but the technical form of words, a *promise*? Was it natural, in such a case, for the one party to superadd, or possible for the other to require, a formal promise; or, consistently with the smallest particle of gratitude or delicacy, to spell for such a thing in the most distant manner, or to conceive that it would superadd anything to his security? Was there anything, on my part, like a declining of the offer? Was it so much as a *nolo episcopari*? Did not frankness rather outstrip delicacy than otherwise in going even so far as I did to meet it?

“Did the mention of the business come from anybody but yourself? Was there the shadow of a project, or so much as a hope or thought on my part? Did I take you unawares, as designing men used to take Lord Granby? Lord Granby used to look upon himself as bound by such engagements, though stolen from him by artifice. Shall Lord Lansdowne look upon such offers as nothing, because made by him of his own accord to a man whose only reproach is that of simplicity?

“That it was a decided offer, which, when coupled with acceptance, makes a promise, I could not suffer myself to doubt; one thing only prevented me from regarding it as an *unconditional* and *immediate* one. The only vacancy

apparently in view, was that which seemed the natural result of your breach with Colonel Barré. I could not tell, from anything you had at that time said to me, whether the breach was absolutely irreparable: I could not tell whether, in the event of its being irreparable, some positive engagement or notions of expediency might not induce you to leave him in possession of his seat. Those two points, it seemed natural to suppose, might, one or both of them, still remain undecided in your mind. This consideration was of itself perfectly sufficient to prevent my introducing the subject or saying a syllable more upon it at any time, than what your own communications expressly called for. Was it for me to take advantage of a recent resentment to do anything that might widen the breach, to endeavour to contribute directly or indirectly to your taking any step which, in your cooler moments, might be productive of regret? The subject was distressing to you: in the nature of things it could not but be so in the highest degree: what you found relief in telling me, I heard with that sort of sympathy which you did not doubt of: what you did not tell me I forbore to ask for. Conscious that nothing in my power could lessen your affliction, all that remained for me was to take care not to say anything that by prying into and probing into it might render it more acute.

"If such as I have mentioned were my grounds for not being able to look upon the offer in any other light than that of a serious one, considering it in itself, and independently of all past discourses and professions—how much stronger those grounds appear when fortified by such a reference! How much had been said, and how frequently, in public as well as in private, indeed in a manner much more public than I wished, in the way of self-accusation, for not having done anything for me at a time when the means of doing so were in hand? When an offer so distinct, so expressly made, of a matter of another kind, which was so perfectly within power, and so much more valuable to me: Could I draw a line and say to myself, all that has gone

before had a meaning, but this which is now mentioned has none?

"In this honourable and substantial offer, as it appeared to me, I beheld, as I thought, a rich amends, not for any neglect in not providing for me in another way,—for, God knows, I neither ever had, nor ever conceived myself to have the smallest foundation for complaint on that score,—but for the mode in which that supposed cause of complaint had so frequently been brought upon the carpet.

"The first time of my hearing anything to that effect, was in your powdering room—Lord Wycombe either present, or backwards and forwards during the time. I had furnished you, at your desire, with a short paper on evidence, on the occasion of Hastings' trial. It was from that slight incident you seemed to take occasion, most perfectly to my surprise, to call to mind your having never done anything for me when in power—to speak of it with regret—to take notice of my never having asked you for anything—to express a sort of sensibility at the thoughts of my not having done so—to remark the difference betwixt me and many, or most others, in that respect, Scotchmen in particular—to recount a conversation that had passed between you and my father, on the occasion of your expressing similar sentiments to him—and, in conclusion, to give me a formal commission to consider what would best suit me in the event of your coming again into office. At the hearing of all this, my surprise was extreme, and my satisfaction, to confess the truth, not extraordinary. Compassion, which was the tone that pervaded the whole, was a sentiment which it was never my ambition to excite; and the prospect it afforded me, however new and unexpected, did not, I must confess, present itself in the shape of an equivalent for a sensation which drew the blood into my face. Neither then, nor ever, was it in my nature to take otherwise than in good part, what appeared to me to have kindness for its principle. It would have been more consistent with that delicacy, of which, on so many other occasions, I have witnessed and experienced such

striking and abundant marks, and not inconsistent either with the occasion, with former declarations to myself, or even, if I apprehend it right, with the usual style of civility on such occasions, if the idea of money had been masked under that of a regret of not having sought an opportunity of giving the public the advantage of whatever services the talents of the person in question might have enabled him to render.

"Parliament was then not mentioned, or even hinted at, unless in as far as it might be supposed to be glanced at under the name of politics, which it was supposed, and by no means without grounds, that I should not be very eager to take a part in: but that a place at one of the Boards was what you had in view. Supposing that I should not like it, seemed a civil way of saying that it was not designed for me—that I was not the sort of person to whom it would be offered. I took it for what it was, and was not so weak, with all my simplicity, as to grasp with eagerness at a shadow, which was shown me, only to tell me that I must not grasp at it.

"Having heard thus much, I was in hopes that I had heard it once for all, and that I should hear no more of it. A second surprise, on the same subject, was still reserved for me. The same story of the conversation with my father, was afterwards repeated publicly at dinner, in presence of, I believe, several strangers, and, at any rate, the usual complement of servants. I consoled myself more under the effect by the consideration of the cause: though the cause might, or might not continue, and the effect was permanent. Little ambitious of the fruits of dependence, I was, of course, still less ambitious of the badge. It seemed to me, that, as the one had not been put into my hand, the other ought not, without my consent, to have been forcibly and publicly clapped upon my back. But though mortified, I was not angry. I have never known what it was to be angry with you for a moment; God knows, you have never given me reason for it until now. In my eyes, it was a humiliation, but, in yours, it seemed an elevation. My name was

entered in form upon the Preferment-Roll: this was to serve as a sort of public testimony of the degree of favour to which I had risen: this, you thought, and, I suppose, thought truly, would raise me in the eyes of the surrounding audience. Raise me or not in their eyes, it did not raise me in my own. Once more, I flattered myself that there was an end of such honours: could I have foreseen when they would have been repeated, I would have taken sufficient care to have kept out of the way of them. Still, I thanked you for it in my heart: for, once more, it is not in my nature, any more than I believe it to be in yours, to take any otherwise than as a kindness what seemed meant as such.

"One more of these honours, though not quite so heavy a one, was yet in store for me. It was at Bowood, amongst others, Barré and Blankett present, as well as the ladies, and, once more, I believe, servants. Three persons were mentioned as the number of your friends, whom you had done nothing for; and I was pointed to as one. How could I help myself? complaint would have seemed at once ungrateful and ridiculous. This was what I did not like; what I did like, I need not particularize—everything else you ever said to me, or did by me. Thus it was, that without my seeking, and without my liking, your livery was forced upon my back: but a livery, my dear lord, should have wages, at least where they have been promised. The promised wages, the only ones then in hand, and the only ones, were there ever so many in hand, that would suit me, are now refused, as well in present as in future. The Duke of Somerset, upon meeting with I don't know what disappointment from George II., carted his liveries with great parade to the palace, and shot them down in the court-yard. My livery will not be shot down in the court-yard: it will be laid down silently in the drawer, with a God-bless-him to the master who once chose that I should wear it.

"Once more, it is a great comfort to me to think that in our recollections relative to the matters of fact, there did not seem to be the smallest difference

between us. You agreed with me perfectly as to the offer: your only plea was a sort of presumption of non-acceptance, confirmed by a supposition relative to my wishes, entertained on the part of an unnamed common friend, and my subsequent silence.—Collect my wishes from construction,—from implication,—from suppositions formed by a third person?—the wishes of a man who was living with you like one of your family?—of a man whom you had taken under your own roof? By what logic did you arrive at the conclusion of forbearing to ask the only one person in the world who could know anything about the matter? In either of two suppositions, what could be more simple than to put the question to me? If I accepted, you crowned my wishes, while you gratified what, at one time, surely were your own. If I declined, you gave me, at no expense, one of the highest, as well as most substantial demonstrations of affection and esteem one man can give another. Instead of that, you said nothing; turned aside from me, and looked to other people, as if acting forgetfulness could make me forget in reality a thing so impossible to be forgotten, and which you certainly would neither have expected at the time, nor wished to see forgotten, as far as concerned the gratitude that, in a mind not wholly insensible, must have been the certain fruits of it.

“But I had been silent. True it is I had so. To have been otherwise, I must have thrown off two parts of my character. One is, not to beg; another is, not to pry into secrets, and least of all into the secrets of my nearest and dearest friends. Is there anything wrong in either? Is there anything in them for which I deserve to suffer? Lucrative things I never begged of you,—because it has never happened to me to be distressed,—because it is not in my nature to beg, not being distressed,—because it has never happened to me to covet anything of that sort; nor do I know of anything of that sort that I should think it worth while to purchase at that price. The only thing I ever did covet was the

opportunity of trying whether I could be of any use to the country and to mankind in the track of legislation, or, not to frighten you with a word which you may suppose to be in my vocabulary, synonymous to wild projects of regeneration, parliamentary business: nor even that could I be said to covet, till you made me; for there is no coveting where there has never been any hope. To what purpose should I have begged? To have reminded you? Such things are not so soon forgotten. What would have been the effect of begging? To have lessened the value of the gift, both to the giver and receiver. Should I have increased my chance by it? I thought more highly of you than to suppose so. If I was mistaken in you,—if I did you more than justice,—if you part with nothing but to purchase homage and supplication, it is fair to tell you, if the experience you have had of me has not sufficiently told you already, I am not your man. Your whole behaviour to me, unless the instances just mentioned be exceptions, has been a perfect model of honour and true dignity, and sincere friendship and generous attention. What reason had I to presume exceptions, and how was I to divine them? One simple course have I always taken to divine what you would do, which was—to consider what would be the noblest and most worthy of you.

“Another reason against mentioning it to you was, my aversion to the idea of prying into your secrets. Accustomed to view things in the great, this virtue, if it be one, costs me less, perhaps, than most people. I do not so much as know the state of my own father’s affairs: he has given it me before now upon paper, and I have returned the paper unopened. Many times has he desired me to hear it, and as often have I stopped his mouth; because at other times I have observed him solicitous to keep this or that part from me. I have my mother’s marriage settlement in my keeping, as executor to her brother; my father, I suppose, thinks I have it by heart, and I have never looked at it. What communications you have made me at different

times relative to the state of your affairs, I have as often received with the greatest pleasure. Why?—because it was a gratification to me to know the facts? no: but because they were so many proofs of your friendship and confidence. Whatever you have not told me, I have concluded it was your wish I should not know. So far from asking you, I have forbore, for the same reason, asking anybody else. When anybody asks me for my opinion, I question them directly, and without scruple, with regard to all facts which I want, in order to make up my opinion, so I question them, and there I stop: directly nor indirectly, with regard to any other.

“This was a subject, of all others, on which it was impossible for me to think of putting questions, or entering into it a jot further than where you thought fit of your own accord to lead me. It was your breach with Col. B. that presented the only probability of a vacancy, I could observe. It was upon his going out, that my coming in seemed, according to my hypothesis, to depend. Asking you to put me in, would have been urging you to turn him out. I saw reasons upon reasons, for not choosing to do anything that might stand the smallest chance of rendering me necessary to any such step. Whether he deserved it at your hands was more than I could possibly be assured, having heard so very little of the particulars, and that only on one side. The breach might not be irreparable. I could not tell what danger there might be to yourself in carrying it to such a height, after so long and confidential a connexion. What little I knew of the man, I had never liked,—another reason for not combating him in an oblique way. It was a subject that, for some time, could not but give you pain, as often as it was brought to your recollection; and which, therefore, unless when you yourself introduced it, I am pretty sure of having never mentioned to you.

“So much for the sort of justice which my unfortunate expectations had been built upon for their support. It certainly did not amount to either West-

minster Hall or Smithfield justice. No action could have been brought upon it. No valuable consideration, no *quid pro quo*, in the case, most certainly.

“God knows, it has never fallen in my way to render you the smallest particle of service; the nature of our respective situations scarce admits of it.

“But what was the sort of justice that was opposed to me? The whole extent of it I cannot pretend to fathom. Two of its rules, however, were sufficiently announced. Two classes of men have an indefeasible right to seats from you: every man who has ever given you a vote, and every man of your acquaintance who has ever tried to get in elsewhere. This is the justice that is to drive ‘*principles*’ out of doors, and with them, not me only, but all that you love or esteem. Justice is an imposing word: and the sound of it, added to the singularity of the explanations that followed it, left me no other choice than that of attention. I listened, therefore, while the explanations ran their length, picking up facts as far as they were to be picked up by listening; thinking it better to leave them in the obscurity that surrounded them, than to attempt clearing it up by questioning where the right was wanting, and choosing rather to submit to embarrassment, than to cause it to no purpose. The one thing material, the want of the disposition, I had been unfortunate enough to depend upon, was sufficiently legible: the weaker the reasons alleged for refusal, the stronger the determination they served to indicate. Having got thus much, I had got enough to meditate upon, as much as I had any right to ask, and as much as it concerned me to obtain. All my regret is, that these laws of justice, such as they are, were not promulgated at the time that parliament was so distinctly mentioned to me. I should not then have had to complain of a departure from a sort of justice, according to my apprehension, rather more simple and intelligible. It would then have passed as a compliment; and as such, I should have been flattered with it. Willingly as I would have been excused the hon-

our of being pointed at in public as a fit object of charity, which happily I have no occasion for—neither in public nor in private should I have had any objection to have been mentioned as often as you had pleased, as a fit object of choice for parliament.

“Here, then, if it were in my power to thoroughly comprehend your decided inclination, and reconcile it with itself, I should take my leave of you: inclination, if I saw it clearly and definitively against me, would leave no room for reasoning: arguing is apt enough to stifle inclination, but it is very ill calculated to produce intention where there is none.

“But what perplexes me, is, that to this phantom of justice not only my expectations have been sacrificed, and our common principles, but other persons, for whom it was impossible for me to doubt of your affection, whatever may be the case as towards myself.

“You bring to view two sets of persons for your three spare seats—the set now sitting, and another of which I am one. The latter united in principles and affections with you and with each other; all of these honoured by your esteem, and more or less of your regard: two in particular, affectionate in their nature, and having every reason to be so in a more particular manner towards you, distinguished by such marks of your affection and intimacy as do not appear to be possessed by anybody else. The other set composed of three men, who, amongst them all, neither possess, nor pretend to possess, a grain either of affection or of what we mean by principle: men who neither live so much with you, nor, to appearance, in a style of equal intimacy, and whose principles, if they had any, would be as opposite to your own, as any you could meet with. Such, in brief, is the description of your two sets: what is to be their fate? The men after your own heart are to have heaven's gates everlastingly shut against them. The men you care nothing about, are the men to enter for ever into the joy of their Lord. All this you tell me in the plainest terms: and to explain a conduct otherwise so inexplicable, you give me the sound of the word justice.

“To come to something that shall be intelligible at least, give me leave to dispose of the word justice, and translate it into ambition, which is what it means, if it means anything. In the name of God, my lord, what are these shadows for which you are sacrificing everything and everybody? What in the scale of politics can be the weight of a parliamentary interest, as far as mere members are concerned, of which the sole constituent elements are as many votes, neither more nor less, as three seats can purchase: for Lord Wycombe's is not yet at market; he is not yet called up nor chosen for a county? But let all possibilities of every kind, and even impossibilities, be taken for realities, and you have four seats. Four seats are four votes: and let the prospect of these four seats give you four votes more to retreat to in case of a repulse from others; though, as often as a repulse actually happens to take place, for instance Mr Baring's, the number is diminished, as the same seat will not hold two men at the same time. Call them *eight*: if you please, multiply them by ten, and call them *eighty*: what, upon the face of God's earth, are you to do with these eighty votes? What one single point can you hope to gain by it? Is it in the power of eight or of eighty votes to make you minister, or to keep you minister, when the gods have made you so; or so much as keep your head from the block, were they to give their own instead of it? There are, I take it, two plans for carrying things in parliament; *per capita* and *per stirpes*—doing it by numbers, or doing it by weight. The plan *per capita*, though rather a difficult one, has been said, I think, to have once been pursued by I forget which minister, to keep himself in; but for a man who is not minister to get himself in by pursuing the plan *per capita*, and that upon the strength of four actual votes, and as many possible ones, is what, I must confess, I should not have thought of. Two things, and two things only, can either put or keep you in: king's favour, and weight of reputation. For the king's favour, if it depend upon such conditions, you

have full license from me to make every sacrifice. I require of flesh and blood no more than flesh and blood are equal to. Lay all your principles at his feet. Send both sets of us packing, the ins and the outs, with Lord Wycombe into the bargain. Surrender your boroughs to Lord Hawkesbury. But will the king's favour be governed in any shape by your four or your eight votes; or rather by the difference between your four votes, which you are sure of, and your eight, which is the utmost your four can give? Are your four or your eight votes, then, any better security for the requisite quantum of reputation? As to mere personal reputation, that is equally out of the question in any case. The plan for weight of reputation in parliament is the plan *per stirpes*. This was the plan you appeared formerly to pursue: and personal inclination and politics went at that time hand in hand. Dunning, I think I have understood from you, you had an affection for: Townshend at any rate; and I suppose Barré at one time. Dunning, though a narrow-minded man, and a mere lawyer, was a most able advocate; and, I daresay, drew a considerable *stirps* after him. Townshend was of use to you in the city. I believe at one time he governed it. Barré, though he knew nothing, was a good party bull-dog, barked well, and with great imposition and effect, where nothing was necessary to be known. This was acting *per stirpes*; and having a party, and having a piece at least of a great state engine, though, if you had got a whole one, there was not a man of them all that had any idea of any use it was to be put to, or of any good that was to be done with it. To the herd of statesmen power is its own end: by the dignified few it is regarded only as a means to an end. There have been times when I have had the pleasure of seeing your lordship ranking yourself among those few: I wish I could say always. You had then at that time of day a Shelburne party, and which, whatever were the subjects, was the more honourable to the head of it, as he reigned alone. A party which, by mere weight of reputation, told in

the balance against the great aristocracy of the country. It was then, as they say at cricket, Shelburne against all England. In comparison, upon the present plan, or rather no plan, what is the party come to now? In the House of Commons there is not a grain of reputation belonging to any one member of it below the head. It is the old story of the Colossus, with the head of gold and legs of clay. It is all head and no body: the figure we see at the puppet show; below the head, there is not a grain of reputation to be found; what the Rump Parliament was in comparison with the Long Parliament in its glory. I beg pardon of the Rump; at that time of day, wherever it was not admired, it had at least the honour of being hated to a degree which it could not have been if it had not been feared. Here it is pure derision and contempt. I speak feelingly—I have a right to do so; its humiliation is mine—is still worse humiliation to me.

“As to the present rump of the *ci-devant* Shelburne party, the curious thing is, that there is nothing I could say to you of their insignificance in which you have not gone before me. It is not my opinion of them I am giving you, but your own opinion, repeatedly and most explicitly declared, and that to me. In the ordinary course of things, it is a satisfaction to a man where he finds his own judgment of men or things confirmed by the public voice. This satisfaction, if such it were in your case, nobody need wish to possess in a higher degree than you do. It is singular enough, but no less singular than strictly true, that from the time your choice was known, to the present, I have not been in a single company, your own particular friends excepted, (for none of us confer even with one another about such matters, or sit in judgment together over you) not a single person have I seen, who has not obtruded upon me his wonder at your choice. A few, whose degree of familiarity admitted of such discourse, went so far as to express their wonder at not finding me in the number; but whether I, who am out, was alluded to or no, there was but one

voice with regard to those who are in. 'How came Jarvis to be pitched upon, of all people in the world? a very good man on board of ship; but what is he to do, or what did he ever do, in Parliament?' 'What? of all men in the world, could he find nobody but Jekyll? How could he think of such a man as that for Parliament!' 'Put Jekyll into Parliament! it is quite a burlesque upon Parliament the very idea of it,' said another man, in so many words, with abundance of details to the same effect. With others, the last choice was matter of particular surprise; for I found he was understood to be a dull man, and that even by dull men,—by men who neither had, nor ever pretended to have, an opinion of their own; and only spoke, as they could only speak, from his general character in the profession. Nor, in all, was there anything of party or personal dislike; among people of all sorts and characters and parties, I found but one and the same language. Such has been the gauntlet I have had to run. What could I say? I who, as being supposed to be in the secret, was examined, as it were, upon interrogatories? I put on airs of significance, and said what little I could, as shortly as I could: of one, *an old connexion*; of another, *a legacy*; of another, *he was in before*. I suffered in all manners of ways: I suffered for you; I suffered for myself;—for if these men are so low, whereabouts am I who have been put under their feet? All this I have had fermenting within me, without vent; for since you first began to open to me, and since I have learned to fancy myself entitled to call you friend, in no one instance have I ever thought of putting any creature breathing between you and me.

"Insignificant as they are, it would be something if they were yours: obsequiousness might make some amends for ignorance and inefficiency: but another curious thing is, that they are no more yours than they are the king's, or Pitt's, or Fox's. Your men? Could you find three men in the House that were less so, or less solicitous to appear so? They your men? You are their man, if you

please: but in what sense any one of them is your man, except by vouchsafing to sit now and then in the seat you have given him, I should be curious to know. So much as to principles. Whether they are yours or no, for the purpose of being let out to private jobs, such as the Duchess of Rutland's, for instance, I cannot pretend to say. But if they are, what is that worth to you? What satisfaction or advantage did you get, for example, in that very instance?

"The use of a practising lawyer is the having a man who, besides whatever knowledge he may have in his profession, has studied speaking,—a man who, having no opinion of his own, is ready to say, upon all occasions, whatever is put into his mouth. His business should be to catch your opinions, and argue from them, in and out of the House, as he would from his brief. The seat you give him is his retaining fee; if he is not your *âme damnée*, he is a rebel and a traitor. A man who is ready to prove black white for anybody for a guinea,—is it for a man like that to have a will or an opinion of his own, against that of a man who gives him what is worth £4000?

"In the House, members are supposed to speak the sentiments of their electors: everywhere else they are supposed to speak the sentiments of the borough-master who puts them in. Your members, if ever they open their mouths, whose are the sentiments they will speak? Yours?—no more than they will those of the people of Calne or Wycombe. They speak your sentiments? They neither would be able if they wished it, nor would if they were able. They speak your sentiments? You will scarce venture to speak your own sentiments when these men are by. When the beginnings of the French revolution were on the carpet at Bowood, you scarce durst own your good wishes on its behalf; while Jekyll, who has, in general, so many good jokes, was exhausting himself in bad ones to endeavour to make it look ridiculous.

"What would be the D. de la Rochefoucauld's thoughts, were he to know of

this affair? Could he have imagined that the man whom you were so eager to get *him* to make a legislator for France, was the very man whom, having it in your power to make a Member of Parliament in England, you had resolved not to put into that station, even after having given him so much reason to expect it? Would it have been his conclusion, that a man who would not have shrunk from the task of muttering his broken French in a French assembly, was determined, through mere sense of inability, not to attempt talking his own language in an English one?

"What a pity (if Lord Lansdowne had happened to be at the same time in his thoughts)—what a pity he might naturally have thought that such a man has not been able to get an introduction to such a man, for example, as Lord Lansdowne—a man whose passion for merit in all its shapes, not only fills up his own great and liberal mind in private life, but breaks all bounds when he is Minister, and overflows into the King's speech.

"The Newton of legislation,' was the epithet given by Fitzherbert to the author of a certain unreadable quarto volume in the presence of Charles Abbot, in a circle of foreign ambassadors at the Hague; by which it should seem that Lord Lansdowne is perhaps not the only man who looks upon the same obscure person as 'understanding the subject a hundred times beyond any man in England.'

"Reserving to yourself whatever lies within the province of judgment, might not a use be found now and then, if it were only in the way of saving trouble, for an invention, fertile in expedients of all sorts, and capable of presenting in all manner of shapes, not only what is best to be done, but all possible contrivances for bringing about whatever is determined to be done?

"A man does not choose his children, he must take them such as God gives them to him, with such opinions as they have. But members for his boroughs surely he might choose, and with them the sentiments by which his are to be represented. There are two ways of

providing for the exactness of such a representation.

"To answer my purpose, if that were all, one remove at the next General Election would be sufficient, and the demands of what I look upon as justice, at least all that I know of them, would be satisfied. But to answer your Lordship's purpose, the purpose of your consistency, your own better judgment and your own fame, nothing would completely serve short of a general clearance, a complete triumph of your better judgment over your worse. Worse off you cannot be; and what chance can you give yourself for being better off without trial? You will then be represented as much as you choose to be so; you will have the commencement of a little party, whose spirit will be willing, howsoever their flesh may be weak. 'New principles will, they must—in time—prevail.' How often have you said so to me for my consolation? When will you say so? How is it they are to prevail if nobody is to begin to preach them? Is it by your means you could wish to see them prevail, or in spite of you?

"Whether one only went out, or whether they all went out, what would you lose, or what reason would any one of them have to complain?

"Morris, I think, had two merits. He had tried at Bath, and he was to help settle Calne. Yes: try at Bath he did, and you see what came of it. Three votes out of—what was the number—forty, fifty, or sixty? This was his proof of importance. In Westminster Hall, in his own profession,—that sordid and narrow-minded profession, which you would be glad to despise, and which I, your humble dependant, despise, give me leave to say so, a little more at my ease,—he is nobody. In the country, as something between the country gentleman and the country lawyer, he was supposed to be somebody; and you see what it amounts to. He has done conveyancing business for you as for others: Did you not pay him for it as others have done, and at least as well as others have done? Is a seat in Parliament to be given as a fee to a conveyancer, and as a make-weight too, after

another fee, which certainly was not an insufficient one? This parliamentary fee, however, since such has been your pleasure, he has actually had: is he to have another, and another too, to the end of his life? But he had been spending his money, I think you said, or something like it, in Bath. He spend money? How? What did he spend it in? in buying votes? What! Those votes! would any man in his senses go to give one farthing for three out of forty votes? And for whom would he have been spending his money if he had spent any? for you? for anybody that belonged to you? If he had got into Bath, would this have made Bath your borough? would it have made Bath your borough any more than mine? not but that it would have been as much your borough as Calne is, if it is to be filled by people who neither think with you, nor live with you, nor care for you, nor are, in any sense, related to you, except by sitting there. But he was to settle Calne; and his settling Calne was to be an advantage to Lord Wycombe. Morris settle Calne? Let him settle Bath first, where he has connexions, viz.: three votes; it will then be time enough for him to think of settling Calne where he has none. And if he had had Bath to settle, what would have become of Calne? Calne wants settling? how long has that been? How long is it since you told me it was in such good order, that even the feasts, which were so necessary when I first knew the place, had been given up? But suppose it to want settling, and that he were capable of settling it, and had settled it: who would he have settled it for but himself? So long as he was in it, it remained settled. When he was gone, who was to settle it then? Is a borough thus circumstanced, your borough? No: so long as Mr Morris is in it, it is Mr Morris's borough; as soon as he is out of it, it is anybody's or nobody's. However, he has had his fee for settling it,—a seven year's seat in it. Is not this fee sufficient? Is the seat to be his for life? Were it to be intimated to him in civil terms, that sitting in it seven years was fee sufficient for

settling it during that time, would he think himself underfee'd or ill used? Would he turn upon you, and endeavour to unsettle it, by way of payment for his seat? Was it not you that gave him his silk gown? and what has he ever done for his silk gown, either for the public or for you? Was not his silk gown a sufficient fee for doing nothing, and for the credit you have derived from the countenance this great man has vouchsafed to show you? As for living with you much, I do not find that this has ever been the case. Why should he have lived with you? What one idea have you and he in common? Now then, my Lord, to speak explicitly as between me and Mr Morris. What is past was previous to explanation,—it is past: but as to the future, now that you know pretty distinctly that parliament is not indifferent to me, if I am to understand that for such a place as parliament, such a man as Mr Morris is stands above me, my doom is sealed. It is for you to take which of us you please: take him, and I make my bow.

Mr Jekyll's merits stand upon very different grounds. Weight of any kind he is not so much as supposed to have anywhere,—in parliament or anywhere else. Nor have his claims the support even of the new-invented laws of justice. But they have a much stronger. These laws are of the same cobweb texture as so many other laws. They stop small flies like me: great hornets like Mr Jekyll laugh at them. His post in the household is that of tale-bearer, and in that station he has been pronounced absolutely necessary; I am sure I do not mistake,—in that quality he has been repeatedly mentioned to me, and never in any other. Nothing can be more explicit: nothing can be more of a piece with that frankness which in simple truth, and without anything of sarcasm, has so often charmed me. Frankness like this on one part, calls for equal frankness on the other. You may propose to me a place in your household, below that of tale-bearer: below that of scullion, if you please: when I accept of it, I shall deserve it. Things were

not then explained; now they are. What is past is past: but as to the future, if a tale-bearer is to be preferred to me for parliament, the same household does not hold the tale-bearer and me. The character I should have given him, without pretending to much affection for him, were anybody to ask me for his character, would have been such an one as he would probably have been less unwilling to own: a very pretty poet; a man without an equal, perhaps, for small-talk, and ready wit, and repartee, and powers of entertainment adapted to the taste of fashionable circles,—a man qualified to shine, in short, in almost all sorts of circles; that commanding one excepted, in which the public spirited Lord Lansdowne, in compliment to the company, and to show his sense of the importance of the trust, has thought good to place him, or any other in which there may occasionally be a demand for serious knowledge. But such has never been the character in which he has been mentioned, pronounced necessary, and as such preferred to me. I, for my part, know neither of that nor any other quality in myself that can render me anything like necessary to anybody: especially to one to whom a tale-bearer is also necessary. Upon this ground, therefore, once more, there remains nothing for me but to make my bow.

“But admitting the tale-bearer to be necessary to a great minister, is a seat in parliament, and that from your Lordship, and that a perpetual one, equally necessary to the tale-bearer? Three or four years in parliament he has had already: seven years more he will have at any rate. Is not a ten years spent in parliament a fee considerable enough for ten or even twenty years spent in tale-bearing? That is, for the value of three weeks or four every year so employed, at the outside. Would the tale-bearer, if given to understand that his interest in the borough was not a freehold, turn tail upon his patron, and turn his tales into lampoons? Would he so much as cease his tales for want of a perpetual succession of refreshers to the first retaining fee, and sing the song of

‘No Pay, no Swiss?’ I should not presume so badly either of his gratitude or his discretion. Is a seat in parliament the only sort of fee which a practising lawyer, and he not very rich, nor as yet much abounding in fees of the more substantial kind, will vouchsafe to take? Is your lordship’s countenance, and business, and recommendation in his profession, a matter of indifference to a man so circumstanced? Will nothing pay him but a seat in a place where he is nobody—where he does nothing, nor has any notion of anything that is to be done? Would visions of Welch judgeships and solicitor-generalships, and silk gowns to be put on at the second coming of our Lord, be of no value in his eyes? Or are such contingencies baits for none but *simple* men like me? If nothing but serving in parliament will serve him, would not seven years warning be time enough for him to look out for another service? Could he be at a loss to meet with one, now that your lordship has given him a lift, and put him in the track? Or is it really the case, that, of all his numerous acquaintance, Lord Lansdowne is the only proprietor of a borough that would not be ashamed to make this use of it? Would not those qualities which have rendered him so necessary to a great statesman and a veteran minister, be expected to render him at least equally so to many and many a patron of more ordinary mould? Many are the strings he cannot but have to his bow: I have,—or, by this time, perhaps, I may say I had—but one string to my bow, and that (must I now add?) a rotten one.

“One Swiss there was you might have had, that would have lived and died with you, and have been as domestic and as faithful to you as your porter, if his evil genius had not whispered to you, that Swisses do not serve without pay, and therefore you must be talking to him about pay. Pay, you accordingly held up to him, the only sort of pay he cared about: he caught at it—you drew it back—and now, he too, like other Swisses, cries—No Swiss, if there is to be no pay.

"When I tell you, that I should never have said anything about pay to you, or hinted to you, directly or indirectly, a syllable about pay of any kind—not even a seat in parliament, if you had not to me, I expect to be believed. Even parliament, you might have talked to me about it as long as you pleased—talked to me about other men, or even asked me whom you should put there, without your so much as hearing of my existence. So long as I was out of the question, and no direct comparisons made, you might have talked of your valet-de-chambre to me, or your butler, without my proposing myself in preference.

"Of my chance of turning out capable of doing anything in parliament I shall say little here: though I could have a good deal to say on that chapter, had I any right to suppose it would be worth your hearing. Faculties depend upon spirits: spirits depend upon situation. They do so in most men: they do so particularly in me. The spirits which you see now are but the dregs of those you might have given me. Neither you nor I can ever know what I might have been, if you had pleased. Thus much only will I add, that were I to be a discredit to you, most certainly you would not be half so anxious to see me out as I should be in haste to go out; and I should consider myself as a discredit to you, if, like your present set, I sat like a chip in porridge, and took no part in business, or none that was to any purpose.

"If it were known that I could speak what I write, and as I write, I am apt to think I should not be held quite so cheap as I now seem to be. Speaking and writing are two very different things. But because a man has been thought to write tolerably, does it follow that he can never be able to speak at all, and that he ought to be set down? Does not writing as well as speaking presuppose thinking, and is a man, merely for the misfortune of being thought to write well, to be pronounced incapable of speaking at all, and to be put below those who can neither speak nor write? Is it not true, that before a man can speak good things, he must have them in his

head? Can a man speak good things without having them in his head; or is it to be concluded that he has not them in his head because he writes them?

"Or is it that a man that studies his parliamentary or other business is a pedant, and a pedant is not fit to sit among fine gentlemen; and therefore the fitter a man is for the business of parliament, the less fit it is for you to put him there? This I suspect to be the logic that has overpowered the united force of affection, principles, and justice.

"I set out with acknowledging, my lord, that as no fixed time was mentioned in what you were pleased to say to me [about parliament,] though you have forgot and slighted me, I cannot as yet charge you with having deceived me. What you will now do, if your notions about *justice* should fortunately correspond to mine, is to give me an absolute and unconditional promise that I shall sit in the next parliament, whosoever does or does not sit there: for as to the possibilities upon possibilities with which you condescended to entertain me, they returned forthwith to the clouds from whence they came. Upon these terms, my heart, if it be worth your acceptance, is still yours. In any other event, I have nothing left but to beg of you and the ladies to forget me, which will take you half an hour; and to study to forget you, which will be the hard task of the remainder of my life.

"One thought hangs particularly heavy upon me: When I was last with you, you wanted me to stay. You pressed me with a degree of earnestness I had never observed before. You were ill: the gout was in your head: and in such a state, such a trifle as even my restiveness might make you worse. It hurt me cruelly to break from you: but it was necessary. I could not look as I felt without being guilty of disrespect to the ladies, drawing attention and spoiling company. I could not attempt to look otherwise without a sort of falsehood I feared I should not be able to support. You and they know I have no liking to last times: and an interview which, besides being a first time,

was so likely to be the last of all last times, was more than I had force to venture upon.

"It was my hope to have lived and died with you. There was not a place upon earth to which I would not have followed you: but that must take its chance.

"All this while I have never dared face my father. I have not been able to master up resolution to stand the parallel that, by this time, has so often been drawn between the conduct of a noble duke towards one side of the family, and that of a noble marquis towards the other; nor the strictures that have been made on the difference between apparent and real friendship, between profession and performance. I have not seen him, nor will I see him, until I have it in my power to tell him distinctly, either that the Lord Lansdowne—of whose affection and esteem for me, and passion for serving me, he has heard so much from that same Lord Lansdowne—has stood to his word and bound me to him for ever, or started from it and set me free."

Lord Lansdowne's reply does him much honour, and leaves no doubt that Bentham had mistaken his intention:—

LORD LANSDOWNE TO BENTHAM.

"Bowood Park, 27th August, 1790.

"DEAR SIR,—Allow me to answer your very long letter of yesterday in, I hope, a short one of to-day, not to save myself trouble, but to avoid digressions, and, above all, personalities.

"I am impatient to set you right about your Foundation Fact, upon which we are very far from agreed; as I do solemnly assure you, upon my word and honour, that I never made you any such offer as you suppose. I might, with great propriety, stop here; but from motives both of esteem and regard, I will go farther with regard to what has past and what is to come.

"While the public has been my first object through life, my temper has insensibly and involuntarily led me to advance everybody about me to the

utmost of my power: my worst political enemies have told me that I carried this disposition to a failing, and experience has proved them to be in the right: but I have always lived within a very small circle, and I have been particularly fortunate in this respect; for I believe no person has served more people, especially considering the short intervals which I have been in power, nor with more zeal, nor upon more disinterested principles. In 1782, I left none who had political claims upon me unprovided for, and very few who had any of friendship or habits. It was natural for me to regret that you were among the last; but, in fact, no opportunity occurred of serving you in the line which I thought would have been most agreeable to you. As I have known many opportunities lost for want of knowing men's wishes beforehand, it was equally natural for me to sound yours, in case I should return into Ministry. Finding, to my surprise, that your wishes were not of the nature I had supposed, different things were mooted, and among others parliament, under a prepossession that it was not your object, for this plain reason, that the same reasons which made you decline the practice of your profession applied in great measure to parliament, which prepossession was confirmed by what passed, and would be by your words, even as you now state them. It was the incident of this conversation upon which we were both agreed in town. It was *I* who referred first to it, not you—not as an offer, but as an incidental conversation; nor was the word offer ever brought forward in that conversation. As to what included Lord Lonsdale's name, which you only say you think was coupled with it, I can only say, it is a commonplace which I have, properly or improperly, I am sure, mentioned to fifty people. But allow me to add, that I was much more confirmed by repeated conversations regarding yourself, in which you stated your happiness to depend on your perfect independence, and every view you had to be centred in your particular pursuits, and that you looked, where you addressed yourself, only for society—in

terms of such disinterestedness and kindness as does not become me to repeat, especially in an argumentative way. The moment you mentioned parliament to me in town, you were witness to my astonishment, and it fully explains the forgetfulness you mention, which you attribute to affectation, certainly not one of my failings; and you then appeared to me to blame yourself so far for the past.

“As to what is to come, now that I know your wishes, I assure you that it will give me great pleasure if I can contribute to the completion of them; and that I will spare no pains for the purpose, so far as consists with the engagements I have express or implied, which have taken place when I was totally ignorant of your inclinations, which I do not think requisite to state, feeling the discussion of them unbecoming towards myself and others, from the same motives of delicacy which would influence me in your case, *mutatis mutandis*. But I must annex two conditions—one, that it must not be considered as the consequence of any past engagement, which I am now disclaiming; another, that it shall not be understood to be with any political view, for you quite mistake my plans. I wish well to what I call the new principles, and will promote them as far as a free declaration of my own sentiments in public or private will go; but politics have given long since too much way to philosophy, [for me] to give myself further trouble about them. I would as soon take England upon my back, as take the trouble of fighting up a second time the game to which you allude. If I plant anymore, I have long determined that it shall be like the birds: the trees must depend on the nature of the soil—I will bestow no pains on fencing, much less manuring and dunging them.

“I am now only afraid that you will be angry that your sixty-one pages have not on the one hand had the effect of subduing or terrifying me; or, on the other, made me angry; and that you apprehend them to be thrown away. They have not occasioned to me one moment's irritation—but they are not thrown away. I select, with satisfaction,

the seeds of esteem and regard which I perceive interspersed. It's no small pleasure to me to reflect that, open and unguarded as I am, well known to be, in such intimate habits as I have indulged with you, I have exposed myself so little. I see the merit of the advice which is mixed, which, if I was as perseveringly ambitious as you suppose, is as good as any Lord Bacon could have given to the Duke of Buckingham; and though the rest is at the expense of myself, and of friends whom I highly respect and esteem, concerning whom you appear to have fallen into strange mistakes, I cannot help admiring the ingenuity with which you attach expressions to meanings, and meanings to expressions, to advance your argument; besides a great deal more I could say, if I was not afraid of your suspecting what I might say in the best faith, to partake of any sort of persiflage. But I consider the whole as an ebullition, excited by fine feelings, and by the pique you mention, arising from your brother Abbott's being brought in for the disputed borough in Cornwall; which I am sure I enter into as well as all which regards your father's house, and wish to God I could remedy it. But as to ebullitions, I am myself subject to them; and though they are more momentary, they are not half so ingenious, and, therefore, not half so pardonable: you may, therefore, depend, whatever you say or do, upon my remembering nothing, but how truly I am your affectionate, humble servant,

“LANSDOWNE.

“P.S.—*Saturday, 28th*.—My hand could not hold out to finish my letter yesterday; but, as there is no post to-day, I send it by a packet. I have not wrote half so much to anybody with my own hand since my illness.”

Bentham thus answered Lord Lansdowne:—

BENTHAM TO LORD LANSDOWNE.

“MY DEAR, DEAR LORD,—Since you will neither be subdued nor terrified, will you be embraced? Those same seeds you were speaking of have taken such

root, the ground is overrun with them ; and there would be no getting them out were a man to tug and tug his heart out. So parliament may go to the devil, and I will take your Birmingham halfpence, and make a low bow, and put them gravely into my pocket, though they are worse than I threw away before : there can be no condition necessary for that, so you need not be at the expense of making any.—Quere, How much pains would it cost a man to say Yes or No ; and how much time to discover his past engagements expressed or implied ? What I understand by this is, that, notwithstanding ebullitions, you would not be sorry to see me ; and what I am sure of is, that I should be overjoyed to see you again, not forgetting your appurtenances, if you and they would let me.

“ Offer ?—why no, to be sure it was not—why didn’t I tell you I only called it so for shortness ? More shame for you that you never made me any. My model was a Scotchman I know, whom I set up in the world, and who, while he was pocketing what I had got for him by hard labour, was threatening to bring an action against me for not having made him the offers that somebody had made to somebody else.

“ Now, could I, after having been counsel for J. B., and made nothing of it, be counsel for Lord L., and show how much blacker than one’s hat was the behaviour of the wretch you had to deal with ? and then, in the character of my Lord Judge,—how easy it was to the parties to see the matter in the different lights, and yet be both of them good sort of men in their way ; but this would take sixty-one pages more, and sixty-one to that, and you seem to think the first sixty-one enough, and I am sure I do ; and as they would be of no use to anybody, I think they may as well sleep on in the pericranium where they lie.

“ My father,—believe me when I assure you upon my honour, I have never had the smallest communication with him on the subject, directly or indirectly, any more than with the Pope of Rome ; and have,—for that very reason, that I might not, and no other, avoided seeing him, until now that I could talk with

him about it without betraying anything.

“ It was using me very ill, that it was, to get upon stilts as you did, and resolve not to be angry with me, after all the pains I had taken to make you so. You have been angry, let me tell you, with people as little worth it before now : and your being so niggardly of it in my instance, may be added to the account of your injustice. I see you go upon the old christian principle of heaping coals of fire upon people’s heads, which is the highest refinement upon vengeance. I see, moreover, that, according to your system of cosmogony, the difference is but accidental between the race of kings and that of the first Baron of Lixmore : that ex-lawyers come like other men from Adam, and ex-ministers from somebody who started up out of the ground before him, in some more elevated part of the country.

“ To lower these pretensions, it would be serving you right, if I were to tell you that I was not half so angry as I appeared to be ; that, therefore, according to the countryman’s rule, you have not so much the advantage over me as you may think you have : that the real object of what anger I really felt, was rather the situation in which I found myself than you or anybody ; but that, as none but a madman would go to quarrel with a non-entity called a situation, it was necessary for me to look out for somebody who, somehow or other, was connected with it.

“ You a philosopher by trade ? Alack-a-day ! Well, I’ll set up against you, and learn to desire nothing, aim at nothing, and care for nothing any more. Then we shall see which makes the best hand of it,—a broken minister, or a man who has served a treble apprenticeship to it in colleges, chambers, and cottages. One island, after all, is enough for one man, unless he is a great genius like Lord Buckingham. So I’ll go to Ireland, and govern like an angel, and double the value of your acres every year ; and then you will come over, by and by, with some attorney in your hand, or some conveyancer, or somebody that knows everybody, and has no singularities, and is

exactly like every other creature breathing, and down go I and my projects under the table.

"Being a sort of mongrel philosopher, for my part, something betwixt the epicurean and cynic, you must allow me to snarl at you a little, now and then, while I kiss the beautiful hands you set to stroke me,—if ever I am to kiss them; in regard to which, fresh difficulties seem to have arisen, I can't tell how, God help me!—for, somehow or other, I have got into another scrape which is to me darkness unfathomable, though you, I suppose, know all about it.

"When will your door be open to me? provided always that no fair hands have been barred against me. This thought makes me droop again—I cannot keep it. I had just mustered up spirits enough to write this, and must now go to moping again, and so good-by to you."

But, whatever momentary coolness may have been excited, soon passed away. In a letter of 17th Oct. 1790, Lord Lansdowne thus expresses himself:—

"Well or unwell, I could not let the post go without assuring you that no one knows better the difference between honest open passion which bursts, no matter how, and gives fair warning,—and concealed malice, which seeks to avenge a wounded vanity it dares not own, and to gratify a cowardly spirit of envy and ingratitude. I know the qualities which belong to both, and I have knowledge enough of mankind to worship one in its moment of violence,—among other reasons, on account of its affinity to my own temper, while, if I was to die for it, I could never forget or forgive the other. I leave it to you to make the application. If you make it rightly, you will make it unnecessary for me to keep the ladies waiting dinner longer, in order to assure you how affectionately and unalterably I must be always yours,

"L."

In Bentham's papers are several sketches of addresses to electors; from one or two I extract passages which seem worth preserving:—

"I am sensible how I should commit myself by correspondence had I anything to commit. Nothing can be more vulgar than, in a character not anonymous, thus to address the people. What great man condescends to address the people on the business of the people? What great man degrades himself from his dignity by addressing them in his own name? Periodical seasons of condescension there are, indeed, in which a great man does vouchsafe to defile himself with this sort of correspondence. But it is on business of far other importance than the business of the people—it is on the great man's own great and particular business.

"But for me, I am steeped in vulgarity; it is in me an incurable disease. I am a low man. I feel as a low man: low men are the men for whom I think—they are—they ever have been—they ever will be—the chief objects of my care.

"I have other means of influence. I have had the honour of making acquaintance with a gentleman who had a considerable interest with the first cousin of the favourite mistress of the valet-de-chambre of a gentleman high in the confidence of a great man—a very great man indeed—who has a pocket large enough to hold several boroughs in one of its corners.

"Shall I tell you why I turned away? Nay!—but I did abandon all expectations from the great—I gave up my ambitious views of mixing with the great—I relapsed into what Nature designed me for—a low man—and one of the people."

"I cannot promise to adopt and combat for the support of a casual majority among you, without knowing what your opinions are. I cannot engage to give silent votes, or to argue in favour of what are not my opinions, and import into the senate the disingenuity of the bar.

"This only I will say, and I say it truly, that, to find myself in contradiction to the sentiments of a clear and permanent majority among you, would ever be matter to me of the most poignant concern, and the most mortifying disgrace."

Bentham writes to his brother, Dec. 6th, 1790:—

“‘The Defence of Usury’ has met with a translator in France. I am known by the name of Usury B. in Ireland. The bookseller is plaguing me about reprinting it, being continually asked for it. I have been printing in Nos. without publishing, a work on the Judicial Establishment for the French National Assembly, to whom I have sent 100 copies. I find it is beginning to have a certain reputation; but they have made scarce any use of it. It is much admired by the few who have read it here,—young women of the number: and it contributes, with other things, to the slow increase of my school. Charles is put in for a contested borough by Lord Carmarthen, now Duke of Leeds, and is likely to succeed. I quarrelled with Lord L. for not having brought me in. He made apologies; promised to spare no pains to effect it another time, but would not give me a promise to turn out for that purpose any of his present crew, who, he has agreed with me, over and over again, are poor creatures; so I laughed at him, called his promises Birmingham halfpence, and so we made it up again—he styling me all this while to everybody in conversation and on paper, the first of men, diverting himself not the less with my singularities, as you may well suppose. Poor Inspection House is taken up by the Government of Ireland; they have ordered it to be printed, and given me what money I have a mind for, to waste upon it with architects. Lord L. thinks he has persuaded them I am necessary to them, and that they must bring me into parliament there; and he is strenuous with me to go over there upon those terms,—saying, what may perhaps be true, that everything is to be done there and nothing here.”

Dr Price writes to Bentham, from Hackney, on the 4th January, 1791:—

DR RICHARD PRICE TO BENTHAM.

“DEAR SIR,—I have this morning received your letter, which, having been directed to Newington instead of Hack-

ney, has been too long in coming to me. In the second volume of my book on Annuities, I have published Tables which give the produce or amount of an annuity of £1, for any term of years, at any rate of compound interest; but this book is out of print, and I am now employed in correcting the press for a new edition of it. They also make a part of Mr Smart’s Tables of Interest; but this book is likewise not easily to be found, and therefore I have taken out of that copy of it which I possess, the two enclosed leaves, which will give you the information you desire, without any farther trouble. When you have done with them, be so good as to return them to me, that I may restore them to the book from which I have taken them. It is probably very needless to tell you that any annuity multiplied by the numbers, even with the years in these leaves, will give the amount of that annuity in those years at the rate of compound interest specified at the head of the columns. Thus £200 *per ann.* bearing 4 per cent. compound interest, and forborne for 18 years, will produce twenty times 200, but that is £4000. On twenty years it will amount to 200, multiplied by 29.778—that is, £5,955 12s.

“I am glad, dear sir, of this opportunity of assuring you that I am, with great respect and the best wishes, your very obedient, and humble servant.”

To some remarks which Wilson had been making on his style, he thus replies:—

BENTHAM TO GEORGE WILSON.

“Hendon, Friday,
January, 1791.

“MY DEAR WILSON,—Nothing can be more judicious than the advice you give me to write readable books: to show my gratitude, suffer me, who am your senior, to treat you with another. Get business. Don’t complain for this time that you have been preaching to the winds; you have been preaching, you see, to an echo: I don’t mean one of your vulgar echoes, but such a one as they have in Ireland, which, when a

man says to it, 'How d'ye do?' answers, 'Pretty well, I thank you.' What! your notion is, then, that I make my books unreadable, for the same reason that asses stand mute—out of pure sulkiness. As to the book in question, there will be another obstacle to its general circulation here, which is, that it won't go to the booksellers at least for a long time, if ever. Be listened to in France? No, to be sure it won't. But you seem to have forgotten, that it is the continuation of a work begun before that matter had been ascertained. As to the unpopular form, it was determined by the popular occasion. If I give it up, I am fickle: if I go on with it, I choose a form that is unpopular, and write books that are unreadable. So you have me either way, or to speak more intelligibly, *quacunque viâ datâ*. If you have got a receipt for making readable books, please send copy thereof per return of post, together with a ditto of your own making for a pattern.

"You have as good a chance for putting the house of our Lady at Loretto into a parcel as my Inspection-house, by sending to Brown's to-day, or Saturday. Neither angels, nor any other messengers, have brought it yet from Ireland. To make amends, if you will send the enclosed to Spilsbury's, you may get, in some state or other, but *toujours* without a title-page, a scrap of my horn-book for infant members, which I am going to publish without the rest—more food for speculation, and another bait to catch good advice. The title-page you may send him by another opportunity. Seriously though, I am greatly obliged to you for the access you have got for me to the Contracts. I shall hardly be at leisure to profit by it these ten days or a fortnight, but that I suppose will make no difference.—Yours ever.

"Remember me affectionately to Trail, when you write. I had the pleasure of seeing his letter at Romilly's.

"How is Trail's Irish brother to be directed to? I mean at Dublin. If I knew his correspondent there, I would send him this last No. and the preceding one,—as far as No. 4, I think, he has.

I remember something about Stafford Street—was that a temporary lodging, or a friend's?"

A letter from Benj. Vaughan, dated February 2, 1791, has the following passages:—

"They say wits often jump upon the same thing. I had just been supposing I should incur your displeasure for having detained three Numbers of *The Literary Gazette* since Wednesday; and it seems you have some fancy about me. Let us barter thoughts, and matters will stand as they *ought* to do. Let the things, therefore, you have put together 'be put asunder.'"—"I know Mr Christie, who is properly a physician, but he has lately taken to trade. He has had many books from me, at his desire, to assist in his pamphlet. I suppose he wants more of your time than a man who has given it all away can spare."—"I wish much to have a copy of your pamphlet for the Duke de Liancourt."

On sending to Bentham a series of questions, forwarded by King Stanislaus of Poland, Lord Lansdowne writes as follows:—

"Does not the book upon Tactics answer the enclosed questions, and many more, which the same line of inquiry may suggest. If so, why should not Mr Bentham, as well as Rousseau, give a contribution to Poland? If he will, with this view, answer the enclosed questions, by referring to his book, or otherwise, as he must, at this time, have the subject at his fingers' ends, Lord Lansdowne will undertake to transmit the answer, and to take no atom of the credit to himself; but in that case, he thinks Mr B. should send the book, and perhaps the French Numbers, with an English letter, (for he understands English,) to the King of Poland. Lord L. will undertake to transmit it, and is sure that it will be received and answered in the handsomest manner imaginable; but he will consider the matter, and do whatever seems best to himself—Lord L. having nothing in view, in either

instance, but Mr B.'s honour and glory. I have had another thought about the plans, which I cannot put to paper, but will mention to Mr Vaughan, unless you can make it suit you to come and dine here on Wednesday with Vaughan and Romilly. Adieu, in haste."

Bentham writes to the ladies of Bowood, then removed to Albemarle Street, March 5, 1791:—

"The enclosed is sent to show how much I prefer the possibility of affording your tea-table half an hour's amusement to that bubble reputation, which I prefer to everything else. You will see how a rebellious disciple of mine libels me, in writing to another Scotch rebel like himself. Unfortunately I am obliged to return the letter, or I should either have cut out the passage, or altered it into a panegyric. The danger is, its falling into the hands of a certain person, who has had an account open for these two or three months, in which everything that tells on that side is viewed through a magnifying glass, and entered in large letters. You saw, I suppose, the two preceding letters from the same hand. Since I saw you all together, and not before, I have read a note written three months ago, in I am not sure whose hand, but I believe Miss V.'s. The affectation of being piqued at my setting myself down at the distance to which I had been thrown, is more flattering to me than a thousand kind speeches, and would go nigh to cure, if it were in the power of words to cure, a mortification which has recurred at least fifty times a-day for above these three months, and every time accompanied with a degree of pain, which, some how or other, has not undergone that abatement by time that I expected it would. Don't let Miss V. think there is no such thing as prudence anywhere but in Albemarle Street. All the ideas I could muster were not enough to answer the demands that were made upon me for building prisons and castles in the air: had I read the letter at the time in which it was put in my hand, instead of thinking fifty times a-day of what I had better never have thought

at all, I should never have been able to find thoughts for anything else.

"*March 5, 1791.*"

Benjamin Vaughan says, March 17, 1791:—

"The news from France is very good again, notwithstanding M. de Condé may enter France with 1500, (not 15000,) all he has got, pursuant to his engagements. The Jacobins are at least preaching up tranquillity. A Baltic fleet is preparing—but I doubt it's going. I wait Romilly's answer before I reply to you. The story of the new metal is recanted in form.

"*March 17, 1791.*"

Bentham addressed to his brother the following letter to wait his arrival at Paris. The colonel was at this time on his way homeward from Russia:—

"*No. 9, Bedford Row,
April 1, 1791.*"

"I write this from Mr Browne's, people chattering round me. It is of no use to make long preachments, or give histories. Yours, of February 18th, from Vienna, is before me: it was sent to me the 16th, after having been kept, God knows how long, for Q. S. P. did not tell me when it was received. When you arrive in London, come, the first thing you do, to Mr Browne's. I don't know whether you know that I have left Crichoff for years, and live altogether at Zadobras. You will learn at Mr B.'s where Zadobras is. Lest you should not, know that it is eight miles from Crichoff, near a place called Hendon, four miles beyond Hampstead or Highgate, which you please. Hampstead is the road you must take, as the other would be unfindable. It is the first house, or rather hut, you come to, when you are passed the eight mile stone on the way to Mill Hill. At Hampstead you have only to ask the road to Hendon—it is the great one. Q. S. P. will easily excuse your not first calling upon him, upon your telling him you were determined upon calling upon me, if I was living, as you had never heard from me. Let me hear immediately from you as

soon as you arrive at Paris, as I dare say you will lounge there long enough to hear from me in answer before you come away. Lord L., who sees all your letters, talked of writing one for you to the Duke de la Rochefoucauld: whether he has, I don't know—but it will be no matter.

"You have a slave with you, I suppose, of some sort or other. Don't bring him to me, as he would be a nuisance. Mr Browne will tell you what to do with him, as also with your baggage. You may leave it at his house, if you will, till we have conferred and agreed where you are to be. The fact is, they go to bed at ten o'clock at Q. S. P. and would be frightened at people's calling, as they would upon you. Besides, your servant, black or white, would put them in a panic. I will explain all this fully when we meet. Come upon your ten toes: you are man enough to walk eight miles. If you fear our being at a loss for conversation, you may put a pack of cards in your pocket. I received yours to me, of I know not what date, telling me how to direct to you; also, the long letter mentioning, *inter alia*, the amphibious contrivances. I gave in a proposal to our Potemkin two months ago; but the Potemkins never give answers. Happily my proposal is in little danger of being out of date; Pole Carew, with whom I am on terms, and others, protect me. You will stare when you come to see it. I am helping to govern Ireland with an old shoe of yours; but they are a sad crew."

There is a short but pithy note, from Vaughan, of April 4, 1791:—

"The news from France good, except that Mirabeau remains ill. Dr Price, also, I fear, is dying. People in general reprobate Pitt's war."

In a letter to Colonel Bentham, of April 5, 1791, Bentham says:—

"Go to M. Gautier, Rue des Capucines, vis-à-vis l'hôtel de la Mairie. He is a great merchant or banker, or both, of the house of Gran or Grand. He

translated the 'Defence of Usury' into French;* but, I believe, does not care to have it known, as he, or somebody belonging to him, had smarted for that crime. Your errand is to ask him, whether he has anything for Mr Romilly. Mr R. expected, before this, to have received something from M. Dumont of Geneva; and if it was not left with M. Gautier, it must have been with someone or other of their common friends. Romilly is at the bar, about Wilson's standing—an intimate of mine, connected as well through the medium of Wilson and Trail as of Lord Lansdowne. Dumont is also intimate—a zealous disciple, and who half-translated, half-abridged, some papers of mine, relative to French business. By-the-by, he has a mother and sisters, or other near relations, settled at Petersburg, in some line of trade, and was in Russia as bear-leader for many years. On the 'Judicial Establishment,' my papers are six numbers, which are not yet finished—perhaps never may be. They, and my 'Essay on Political Tactics,' Romilly sent to Gautier not long ago. There, I suppose, you might see them, were it worth while, which it is not. When your name is mentioned to Gautier, he will probably recognise it, and ask you after me; but he has never seen me."

Three brief notes, from Vaughan, follow:—

1. "Nothing very new. Pitt much chagrined; the war, (if to be, which I doubt, as Prussia must see our support soon die away,)—the war, I say, very unpopular: Pitt exposed abroad and at home; no further use for him in German politics, and then. . . ."

"France à l'ordinaire, except that the separation of the two powers (of state) makes fermentation, and the aristocracy still talk of counter-revolutions."

"April 16, 1791."

2. "If the king of France provokes the nation once more, he will be called by a new name. The aristocracy should

* This, I believe, is an error. The translator of the "Defence of Usury" was M. Delessert.

experience one more blow, the new-officering of their army.

"I will write about your philosophy soon; but our people will not concur.

"April 25, 1791.

3. "Stocks here are lower.

"You hear of Fayette's restoration.

There is still fermentation at Paris. Assignats at 7 or 8 per cent. discount. The question about Avignon is on the tapis. Lord Stanhope having just returned me Condorcet's report, I shall read it, and write to you.

"May 3, 1791."

CHAPTER X.

1791—1792. *Æt.* 43—44.

The Panopticon Project.—Reveley the Architect.—Correspondence: Pole Carew, Sir Samuel Bentham, Dr Anderson, Vaughan, Lord Lansdowne, and the Bowood Ladies.—Correspondence with Garran, Brissot, and the National Assembly, on Projects of Reform.—Death of Bentham's Father.

IN the correspondence contained in this and the following chapter, the Panopticon Penitentiary House will be found to hold a prominent place. It occupied Bentham's attention during many years of his life; and I possess many volumes of correspondence which refer to it alone. His hopes were raised to the highest pitch when the project was adopted by parliament; but the *veto* of King George the Third overthrew the scheme, and a large sum was paid to Bentham as compensation for time and labour, and expenses incurred. He could not speak of the subject without pain. "I do not like," he would say, "to look among Panopticon papers. It is like opening a drawer where devils are locked up—it is breaking into a haunted house." "The architectural part of the Panopticon," to use Bentham's words, "was invented by my brother for the Mujiks, or peasantry of Russia. I thought it applicable to prisons, and adopted it. The inspection is universal, perpetual, all-comprehensive. Everything was going on most prosperously, when, on the 17th August, came a terrible frost, and destroyed all his gardens, and fruits and flowers. The Panopticon was not built—it was merely traced out."

"In 1792, I put it into George Rose's hands, and Rose told Angerstein he had never met with a more taking proposal in the course of his life; and at the same

time Lord St Helens put it into the hands of Sir Evan Nepean; and Sir Charles Bunbury made a speech about it in the House of Commons.

"But George Rose had unfortunately got a trick of making me say, whether intentionally or not, what I never said, and then attacking it. A well-bred man, in George Rose's place, might have made the communications to me which he had to make, very bearable: but that was not in his nature. The ground bought of the Marquis of Salisbury for the Panopticon was very cheap, and no job. It cost £12,000, or £14,000. The quantity must have been eighty acres.

"The discussions respecting Panopticon were spread over a space of twenty years, in parliament and out of parliament.

"During the Penitentiary discussions they made use of the evidence of a fool, and of a rascal, in order to use them against me. Holford was the chairman of the Committee of Inquiry. There was a good deal of hypocrisy mixed in the affair.

"Lord Sidmouth behaved shabbily in the business. He had taken a public part in the House during the discussions on the subject; and when he supplanted Pitt and came into power, he denied that he had ever concerned himself in the matter.

"Charles Butler did me the good ser-

vice of drawing the bill for Panopticon, and he would take nothing for his pains. I drew a bill, short, compact, and, as I thought, complete. But the bill so drawn was rejected with ignominy.

"In order to advance Panopticon after I returned to England, I consulted Reveley. He had an admirable pair of hands; his wife was a clever woman; but Reveley would never talk on the subject on which he was wanted to talk."

Bentham had met Mr Reveley in the course of his journey. He had been taking views in Greece,* in the employ of Sir R. W., described in p. 156, and Bentham engaged him to assist him in the architecture of the Panopticon. He had married a lady abroad, who had been an acquaintance of Bentham; and in her society Bentham enjoyed much pleasure. I received from that lady a memorandum, which I give in her own words:—

"Mr Bentham had applied to Mr Reveley to assist him in the architectural development of his plan for a Panopticon. At first he paid us short visits, merely furnishing Mr Reveley, from time to time, with the necessary instructions for making out his plans,—but the ingenuity of the latter enabling him to raise objections, and to suggest various improvements in the details, Mr Bentham gradually found it necessary to devote more and more time to the affair, so that at length he frequently passed the entire morning at our house, and, not to lose time, he brought his papers with him, and occupied himself in writing. It was on this occasion, that, observing how much time he lost, through the confusion resulting from a want of order in the management of his papers, I offered my services, in classing and numbering them, which he willingly accepted, and I had thereby the pleasure of supplying him with any part of his writings at a moment's notice. Judging from the manner in which he appreciated my assistance, I am inclined to think that this kind of facilitation had never before been afforded him. I then proposed to him that, in order to gain still

more time for the despatch of his business, he should take his breakfast with us. He readily consented to my proposal; but, upon the condition, that I would allow him a separate teapot, that he might prepare his tea, he said, in his own way. He chose such a teapot as would contain all the water that was necessary, which was poured in upon the tea at once. He said, that he could not endure the usual mode of proceeding, which produced the first cup of tea strong, and the others gradually decreasing in strength, till the last cup became little better than hot water. Tea-making, like many other things (particularly the dimensions of the cups) is, perhaps, greatly improved since that time. I was, even then, so well convinced of the advantage of his method, that I have pursued it ever since, more or less modified according to circumstances.

"During this intercourse, Mr Reveley once received a note from Mr Bentham, written in an angry tone—this was owing to the former having used some incautious, and, perhaps, improper expression, in writing to some one concerned in the affair of the Panopticon. It might have been the engraver—though I can scarcely admit the probability of that surmise.

"Mr Reveley knew himself to be perfectly innocent of any intentional rudeness or impropriety,—he therefore felt himself much hurt at the severity of Mr Bentham's reproof. I can recollect but these very few words of Mr Bentham's note:—'I suppose you have left your orders too with Mr' (naming a lawyer or barrister employed by Mr Bentham, who was residing in Red Lion Square.) In fact, Mr Reveley, though a young man of superior talent, was, at that time, little accustomed to writing; he was also perhaps not sufficiently attentive to the established forms of society. It is, therefore, by no means improbable that he might have committed some mistake in the use of language.

"It occurs to me also, that there might have been previously some slight degree of dormant displeasure in the mind of

* He edited Stuart's "Athens."

Mr Bentham against Mr Reveley, excited, perhaps, by an habitual, though very innocent levity on the part of the latter, who was too apt to make jokes, in order to excite a laugh, even on subjects which demanded serious attention. When we were alone, Mr Bentham's Panopticon did not altogether escape; and I can easily imagine that his penetrating glance may have caught a glimpse of this misplaced mirth. But of this, if it was so, he never took the slightest notice. I think that this little misunderstanding took place when the business between them was nearly brought to a conclusion; and it is most pleasing to observe, that it did not prevent Mr Bentham from doing justice to Mr Reveley's ability in his printed report, or description of his 'Panopticon.' I can also recollect, that the sum which the latter received, as a remuneration for his trouble, was ten pounds—Mr Reveley's first professional emolument.

"After this event, I never saw Mr Bentham again, till my interview with him in April last, (1831.) His views with regard to the 'Panopticon' were baffled, and he had no longer occasion for architectural assistance.

"My situation was also changed—I was no longer in the enjoyment of that state of ease and quiet in which he had known me in former days, when he first visited my father's house.

"Still under twenty years of age, I was already the mother of two children, and was called upon to bear my part in a very severe struggle. Our income was but £140 per annum; and the increase brought in by Mr Reveley's business was, for several years, very slender and uncertain. With these inadequate resources, from the necessity of maintaining, if possible, our useful connexions, we had to make a genteel appearance: this we effected, not without considerable difficulty, and by means of constant exertion. A person in such a situation must make great sacrifices, and submit to much self-denial. My mind was concentrated in the continual efforts which my new situation required.

"I lost sight of the inestimable Bentham—at least, I lost sight of him per-

sonally,—but still the sentiment—that strong perception of his superior worth, which I had imbibed in my first acquaintance with him, was continually strengthened by my own spontaneous reflections, and by the accounts which were given to me, from time to time, of his steady and heroic devotion to the great cause of truth, humanity, and justice. It was delightful to me to hear his praises from the mouths of all those whom I most looked up to as philanthropists and philosophers."

In connexion with the same subject, Sir R. P. Carew writes as follows:—

SIR REGINALD POLE CAREW TO BENTHAM.

"9th May, 1791.

"DEAR SIR,—I have not been unmindful of your wishes, though I have not been able to forward their accomplishment. Mr Steele has more than once spoken to Mr Pitt upon the subject of your proposal, and the minister has promised to consider of it; but, amidst the multiplicity of business now crowding upon him, I do not wonder if he has not yet been able to give it that consideration which it deserves.

"In the meantime, I accidentally fell in with Mr Adam, the architect, a few days ago, who has been turning his thoughts to the building of a Penitentiary House at Edinburgh, which is in contemplation. The subject is new to him; and I having mentioned that an ingenious friend of mine had invented a building which promised to unite in it many singular advantages for such a purpose, he is very desirous of seeing the plan, and would be very ready, I doubt not, to communicate any observations that might occur to him upon seeing it, and be much obliged for the lights which he would derive from it.

"As his is to be erected in another country, it will not interfere with yours; and as I conceive you to be more interested in the success of a good thing, as an object of public utility, than of any private benefit, I presume you will have no objection to communicate with Mr Adam upon the subject. But I have

been so prudent hitherto as not to mention your name to him, that you might use your own discretion in that respect. Adam lives in Albemarle Street.

"I will not forget to seize any opportunity that shall appear to be favourable for promoting your wishes with the minister; but I am afraid that, during this session, there is little hope."

The three letters which follow, addressed to Sir Samuel Bentham, are amusing:—

BENTHAM TO HIS BROTHER.

*"Hendon, Middlesex,
Monday, 9th May, 1791.*

"You are a noodle. Nobody will think of stirring from town these two months; the parliament, at least, will not break up till that time. I stated the doubt to Lord Lansdowne, and possibly he may answer it.

"I send him your letter, (*i. e.* the first sheet,) as I have done all the letters. At his house you will find ladies prepared to like you, and who do not dislike me; but proud, and virgins, and the most terrible of prudes.

"Ask your philosophical friends about the discovery, or pretended discovery, of a Mr Trouville, who undertakes to empty the sea and carry the water up to the clouds, and is patronised, and the thing ordered to be done, by the National Assembly. This is scarcely exaggeration. Yes, your kind letter came to me at once. You have, indeed, no need to call at Browne's, unless you choose it, provided you can find a place for your baggage *ad interim*; but that as you please. The person I spoke of is still much at your service."

"London, 12th May, 1791.

"No!—it is I that was the noodle; the town always empties immediately after the birth-day, viz., June the 4th,—so says Lord L.: he thinks of going the 1st of June; therefore, now you have received this, order horses. As to your staying there, it would not be any money in my pocket, which is all I care about; but I thought it was a pity that, being

on the spot, you should leave any amusement behind you. But, hark ye! Mr Sir! you must not think of coming to me first—you must alight first upon the land where form is substance. . . . As to my looking out for such lodgings for you as will be most convenient for myself, that's your Gallo-Russian palavering: how can I tell when you will come? and how can I tell what friend of yours you would like to live nearest to? There now, away with you to Q. S. P. Have a letter ready for me in your pocket to inform me of your arrival; if it is at the general penny post-office, in the Haymarket, before 9, or at least before 7, I shall have it the next day between 12 and 1, if I happen to walk to the office,—if not, between 1 and 2. If you arrive in town early—for example, about 12 or so—then you may come to breakfast with me the next morning; if not till latish, then you must sleep there, not only that night, but the next. The safest way is, to settle with yourself to stay with them two nights, at all events; that will be sure to satisfy them, and by that time I can have received a letter which will tell me when to expect you. Name your hour, and I will meet you at Highgate church, which is a pleasanter road than Hampstead. If I am not there at the time, come on to the White Lion: inquire your way for Finchley church, and when you are there, for Dallis's. In the great northern road, about a mile or mile and half beyond Highgate, in the way to Barnet, you will come to a nursery-ground in the road. At the top of the hill, on the left hand, is a public-house, called the Bald-faced Stag: at the bottom, before you come to the Bald-faced Stag, is another,—the sign the White Lion, I believe. Close to this White Lion is the stile that goes to Finchley church, which is about a mile distant. You might write to me from Dover, if the post sets out before you do. The place has been lately under repair; everything is dirt and confusion, which you will not mind."

"12th May, 1791.

"Spite of parliament, the town will

be empty the instant after the birthday—viz., 4th June: so says Lord L., who himself leaves on the 1st. But you will have heard this already from Lord G.: therefore order the horses, and away with you. You will find at the post-office at Dover, a letter in the same strain, in which I have written fuller.

“The letter to Dover contains projects for our meeting,—but not of importance enough to make it by any means worth your while to take that route in preference, should there be anything to attract you towards either the Rouen road, or that by Lille. Taking the latter route, you might see something of the state of affairs in the towns where there has been aristocracy and commotions.”

From a long letter of Dr Anderson, the editor of the Bee, dated 15th May, 1791, what follows seems worth preserving:—

DR ANDERSON TO BENTHAM.

“Of Sir J. S.* you entertain, with justice, a high opinion, respecting his industry and application. In these respects, perhaps, I know no man who is his equal,—and I believe his dispositions at bottom are very good. But as to the stretch of his parts, these are very moderate,—you must not, therefore, expect that he can ever be pleased with (read forgive) the man who exposes his errors in public. His foible is vanity. I do not, therefore, think he is at all an object for you to fight with; and the public will give you credit for overlooking him. Blackstone, Smith, and some others, you ought to take notice of. Even, perhaps, Hume, who is among the most superficial political reasoners, may get a set down as you go by, because of his name,—but a serious answer to Sir J. S. would be absurd. This I speak *between ourselves*, merely for a clue to direct you. For as to hurting Sir J.,—he is among the last persons I would wish to prejudice the public against,—for I think he has a serious desire to do good, and he has the art of picking

up ideas from one and another, and then bringing them out in some measure as his own. He may thus be the means of doing much good,—and I am happy in being able to say that he has, in this way, been already of much use, and may be of more. His *Statistical Account of Scotland* will, I really believe, be the best that ever was published,—and the pains he has been at to bring that forward, to my certain knowledge, have been such as scarce any other man could have submitted to. I think myself capable of some exertion; but I do not believe I could have done the half of what he has done. Besides these causes I have for respecting him, I lie under such obligations to him for his ready assistance to me in helping my correspondence, that could I be capable of doing anything to hurt him, I should be a wretch who should be detested.”

On the subject of a proposal of Bentham, that Dr Anderson should make Panopticon tenders to the government, he says:—

“As to the idea of *contracts*, which your friendship makes you think of for me, I have it not at present in contemplation. The great point, at present, should be to bring the general plan to bear,—and I see nothing so against that as its superior excellence. I have no expectation of your succeeding with Pitt,—unless you have made your application through the medium of some party connexion. Were your plan demonstrably capable of saving some millions of lives each year,—and, what is of more consequence to him, some millions of money,—I would not give one penny for your chance of success, unless your application was through a *proper channel*,—and if it be through that *proper channel*, were it as expensive as the Botany Bay establishment, I would not despair of seeing it adopted.

“As to Pitt, he is a very Jew,—he will say, at this moment, the very reverse of what he intends to do, if he think it can effect any little object. I would as soon believe that the wind which now blows in at my window, told me in what point it was to be a month

* Sir John Sinclair,

hence, as I would trust to a word that he says. This need not, however, prevent you from making use of him, if you find it can be done. I would trust to him as a tool of mine, however, and not put myself in his power as a tool of his.

"You know that I would rather walk a dozen of miles than write a letter at any time, and I always put it off till the last hour. This letter should have been written four days ago; but this is the last day I prescribed for detaining it. I must now, of course, write, though I feel myself in one of those testy humours when a person would send half the world to Botany Bay, if he thought they were to meet with half their deserts. Even in that humour, however, the thoughts of a friend produce a kind of a suavity of disposition that nothing else could effect. I am most anxiously interested in the success of your plan, though the gloomy bile that possesses me makes me fear that, on account of the bad properties of your assistant, and other little arts that you are not calculated to countervail, your work may be pilfered from you, and you get nothing but vexation for your pains. I will expect to hear from you as soon as possible; and it will give me very particular satisfaction if I find I can be of any use to you about it."

"I have got a great acquisition to my Bee last day, the remarks made by an old, shrewd, sagacious, witty judge on the Scotch bench,—Lord Gardenstone, on a tour he lately made through Italy, &c. It is the same person who writes the remarks on the plays in the Bee. You will, by that specimen, see he thinks for himself, and says what he thinks.

"I have a character of your *great favourite*, Lord North, ready for insertion. But I get so many communications from others, that I must make my own give way. It was intended to have followed in the second number after Mr Fox, and has not yet got a place. It will be followed by that of *my favourite*, Lord Chatham; but when, the Lord knows."

Benjamin Vaughan writes to Bentham, (May, 1791):—

"I have taken much pains with the

Bishop of Autun, through a common friend, respecting weights and measures. I will, some time or other, tell you what I urged. The consequence was, that the Bishop of Autun was stated as saying, in the N[ational] A[ssembly] that the English *approved* of what the French were doing: the very reverse of the fact. The last report makes the matter worse than ever, for the reason you mention. I have stated this also; and my friend writes, that he shall speak to Condorcet; but it is all in vain. If the French have a right direction, they are ingenious and laborious; but here they miss the mark, from being unacquainted with good instruments, and their use, which, if used, would prove that even the best fall short of the necessary perfection in the case in question.

"I shall be glad to see your *warming* scheme for your Panopticon. They have been doing something with the House of Commons within this fortnight. The *airing* or *cooling* part of the scheme, if I remember, made no subject of our conversation.

"I see English newspapers at free cost, morning and evening. I take in the *Journal des Debats*, and *des Decrets*, (and the *Proces Verbaux*, by volumes only;) but I think I can find you a partner in your *Moniteur*, or *Gazette Nationale*, and send it you with the *Leyden Gazette*.

"Return me the enclosed. Burke has lost and Fox gained by the discussion; and the court (whose tool B. is, or appears to wish to be) can be pleased by the issue in *no* shape."

On the 27th May,—

"Payne is writing a book against Kingship. Assignats at 14 per cent. discount, but Paris tranquil; and the whole owing to non-payment of taxes, for nothing from foreign powers warrants the fall.

"Some of our ministry have been for an alliance with France. Russia holds firm, as also Denmark. I lent your book at Lansdowne House, and consequently can say nothing about it. What am I to say for keeping one of these papers

a day? *Diem perdidit!* Will you let the punishment of conscience be the whole?"

In answer to Dr Anderson's letter on the subject of contracting for Panopticon, Bentham, in a communication of 28th May, goes into the details of the matter thus:—

"DEAR SIR,—Begging your pardon, I should think the offer of contracting, if it suited you in other respects, might be made without solicitation; nor need it wait for the complete architectural representation of the building. Your offer would be very simple. 'Prisoners cost you at present so much a-head; give me such a building as this, the rent of which will amount to so much a-head, I will keep your prisoners for so much a-head more.' The strength of your cause will lie in the cheapness of your terms; if your terms are rejected, you have kissed nobody's —, and you are but where you were.

"With regard to economy, I will unbosom myself to you without reserve. Part of my expedients you will find in print. I was afraid of giving the whole of them, or placing them in the clearest point of view of which they were susceptible, for fear of being beat down, or seeing others reap the fruit of my labours. A man who begins with saving 50 per cent. to the nation, may be allowed to think a little for himself.

"*Potatoes*.—I have been afraid to show how immense the saving may be, by the exclusive adoption of this article. You value the price at 1d. for 4 lb. But even at your price, the saving would be very great. I speak still at random; I have other *data*, but have not yet had time to sift the matter to the bottom. Along with the house you would get some land. The current penitentiary notions represent this as necessary, though it is not necessary to keep off other buildings, &c. Wandsworth, which would be my place, has as much land as cost £5000.

"*Clothing*:—

"*Stockings* unnecessary—unless on Sundays, upon the *open chapel* plan, which would well pay for them.

"*Shoes*—Wooden, instead of leather; slippers perhaps for Sundays.

"*Coat, &c.*—I have patterns of very good cloth, linsey woolsey, which cost but 1s. per yard (yard wide,) retail, dyeing included; consequently, wholesale less. Dyeing costs something, and is best omitted, as without it, cloth washes the better. Sleeves, one shorter than the other, for the reason above-mentioned in my book. If washing were rejected as superfluous, might not the cloth be of the natural brown, or black wool?

"*Shirts*—rejected as unnecessary—this saves one-fourth perhaps of the cloth of the coat.

"*Skirts*—long enough—but all unnecessary fullness, as for plaits, &c.—worked wristbands, and worked collars rejected.

"*Hats and Caps*—unnecessary.

"On Sundays, when they have no work to keep themselves warm, and spend a good deal of time out of doors in the open school, those who choose it, to be at liberty to wear their week day waistcoats and breeches under their Sunday ones.

"*Bedding*—Hammocks, if cheaper than bedsteads. Bed, straw frequently changed, put in a sack. Instead of a pair of sheets, another sack, (though finer,) with a short flap to turn down under the chin. In sheets on the common plan, there is a deal of unnecessary amplitude, for the mere purpose of *tucking in*.

"*Blanketing*—The coat, waistcoat, and breeches, will go in part of it, especially if in a hammock, and in a building kept to the same temperature in winter, every part of it, by constant fires: never under temperate, viz. 55°. In clothes and bedding, no one article that will not wash.

"*Working-hours*.—You will see in my book, how, by mixture of employment, sedentary with laborious, and the preference given to sedentary, making even airing times as profitable as any other, I get sixteen and a half profitable hours; very near twice as many as our Penitentiary systems allow.

"*Potatoes—dressing*.—You will have seen in the section on *warming*, how frugal the mode of dressing will be. I make each man's allowance more than

any man can eat; what is left, with the skins, &c., goes to feed hogs or other cattle. In proportion as a man gets better food out of the share I allow him of his earnings, he will eat so much the less of potatoes: here will be another great saving.

"Each man's mess separate, in a separate tin pan—the pans square, of the same size and shape. In these same pans they are dressed, (by steam,) and when dressed, pan and all are put together into trays, so many in a tray, and thus twisted up by the crane to the several galleries, and from thence distributed in a trice among the cells. Or, the trays being made of tin, or of wood lined with tin, they might be dressed in the tray, and so tray and all be twisted up without the trouble of shifting.

"Billingsley (see the Bath Memoirs for '78, or Annual Register, 1786) got 30,800lbs. on an acre; rate of expense such that 10 $\frac{3}{4}$ lbs. cost him one penny. This he seems to look upon as a good crop; but the sort not being mentioned, seems to have been taken without choice. Young (Ireland, i. 21) says, a good English acre should produce at least 480 bushels of the cluster potato. He reckons 70lbs. to the bushel; this makes 33,600lbs. Expenses supposed not greater than Billingsley's, this gives about 12lbs. for one penny. He makes eightpence a bushel (70lbs.) the average prime cost in Ireland, where husbandry is so bad, and labour not cheaper than here, considering how little is done for money; that is, 8 $\frac{3}{4}$ lbs. for one penny. Young, everybody says, is inaccurate; therefore, this is only matter for inquiry. Six hundred was the number of bushels, Howard, who was a very accurate man, told me he got of *his* potato, from but indifferent land. I took a memorandum of this, a pretty full one, from his own mouth; but God knows what is become of it: 200 only he got, at the same time, from a piece not worse of the same field, of some other sort of potato. So far I remember with certainty.

"I told you before I had not yet had time to set my shoulders to these calculations. I throw out these hints, undigested as they are, thus early, for your consideration, in hopes of your

picking out something that may be of use to you in the event of your making any such offer. But having thus unbosomed myself to you, I rely on your honour, not to make the offer till you have communicated it to me, and till you hear from me that the terms of it will not prejudice my negotiation. But this need not hinder your saying in general terms, that with such a building, you could undertake the business on such terms as to reduce greatly the expense. I have heard nothing all this while from A[dam], which makes me suspect I shall find him jealous and adverse. No such thing. I have just received a letter of his from my friend, to whom he says, 'the reason of my troubling you is, to beg, if it is not disagreeable, Mr B. would be so good as to inform me to whom he has sent his book and plans here; as I would communicate with him on that subject, and get his aid to endeavour to influence our magistrates here, who are attached to Mr Blackburne's ideas, and join with me in showing them the infinite superiority of Mr B.'s inspection principle over his, and everything of the kind hitherto thought of.' This you see is explicit enough: his absence accounts for his silence. He had been on the hunt for me, and could not find me out. I write to him to let him know about you; but as you had been to inquire after him, I suppose you and he have met before now. As there seems no contrariety of interests, if you feel yourself inclined for the contract scheme, perhaps you would not do amiss to make Mr A. your confidant, speaking of it as a thing I had suggested to you; in short, making what use of my name you choose. You might then, as if from yourself, speak of the great disadvantage to the scheme from my not being there; in short, propose as in my former letter, &c.; taking this along with you, that it is very uncertain whether I should be able, owing to my own affair, and to my brother who is just arrived. It is what I should not have the smallest inclination for, on any other supposition, than that of a probability of its being of service, either to the plan or to you. For travelling is a disagreeable

operation to me, and in a carriage that holds four, a perfect punishment. It was not Sir W. F., but G. F., a very different and very superior man. The other is an applewoman.

"28th May, 1791.—I have no time to finish. I enclose two patterns of the cloth above-mentioned. Perhaps you may know of something cheaper and better. I am aware of its not being very lasting; but I think it is better to have it cheap, with frequent change."

Bentham wrote to Lord Lansdowne, June 1, 1791:—

BENTHAM TO LORD LANSDOWNE.

"I know of nobody who is in any sort of scrape but myself; who surely, for once at least, am rather more unfortunate than culpable. As for my refusing to meet the ladies at your house, let them but speak the word, and I will go and plant myself there, inside or outside, rain or shine, from this day to that, if that will be any satisfaction to them. As to my celibacy, I don't know very well how the stigma could be wiped off, at least in time, and if it were, it might be only making bad worse,—since it is a thousand to one, but the female Yahoo would be still more intolerable than even the male one. Such is my ignorance and stupidity, I cannot, for the life of me, beat it into my head, how it is that three ladies should commit themselves more by going to one unmarried man's house to dinner together, with one, two, or three other persons of their choice, than by going singly to another unmarried man's house to, and before, and after dinner. If it really stuck there, married ladies, I can't help thinking, need not be wanting, such as they would have no objection to accompany anywhere, where they wish to go, and who, partly for the frolic, partly in the benevolent view of releasing a proscribed man from a banishment which sits, he need not say how heavy on him, would give them the sanction, and me the honour of their company. I mean always by the help of a word or two, which, I am sure, would not be grudged. Thus much I have said, not in the hope

of softening flint, nor for the sake of striking fire with it, but merely to show your Lordship, that it is not with my own goodwill that I submit to the mortifications to which I am doomed."

A note of Lord Lansdowne, dated from Bowood, June 20, 1791, says:—

"Your letter found us deliberating whether you would like better to come here, with or without your brother; for I take it for granted you do not mean to give up Bowood for the summer. We reserve, till then, telling you all we think about the colonel; but there must be nothing of old kindnesses in little or in great character. Though I do not pretend to rival Mr Pitt, I am enough of a negotiator to know the danger of suffering principles to be lodged. In the meantime, we are much obliged to you for your communication; some part of which, I have no doubt, is true, and certainly is interesting. I have reason to doubt about another part which regards C. Fox, which, indeed, can't be. Adieu!—with many sincere compliments from the ladies; which I know to be more valuable than old or new kindnesses elsewhere."

A letter to Lord Lansdowne, dated Saturday, June 25, 1791, has these passages:—

BENTHAM TO LORD LANSDOWNE.

"The *Comparative Estimate* is, after all, not Porter's, but a Dr Ewart's, a physician, a brother of the diplomatic Ewart. Porter is the 'commercial friend' therein spoken of, as having furnished the materials. Porter is a Scotchman. He and the Ewarts were school-fellows. Porter was a schoolmaster, somewhere in Great Britain—then a language-master in Petersburg; then crept by degrees there into a commercial house.

"Nothing can exceed the contempt with which the Russians treat Pitt's skill in foreign politics. W. told a certain person, P. had been making proposals to the emperor, silly beyond expression, which he would not mention then, but would in six weeks' time.

"What concerns C. J. Fox, was probably misconceived.

"My brother without me, possibly; I, not without him certainly; with him, possibly, now that I have got a license. I wonder whose idea it was that he and I were like Castor and Pollux; or like Lord and Lady Pembroke; or like the *ci-devant* Marquis and Marquise *de tel ou de tel, de tel lieu*, not liking to be at the same place:

"I wonder what ladies there are at Bowood; and whether there be any part of the summer when a man would stand a chance of seeing them all three. I worship but at one altar: but that, as everybody knows, has three sides to it. As to comparisons between that and another sex, whoever makes them, none have ever been made by me. Comparisons, where there is competition, are, according to the proverb, odious: when there is none, incongruous.

"The passage about 'lodging principles' is Arabic to me. I have sent it to the decipherer's.

"While they smile—if, peradventure, they continue to smile—I will console myself as well as I can under other mortifications: not as being indifferent to them, nor conscious of having deserved them, but because I cannot help it. Those whom meet with mishap, look around them for consolation, which, wherever they happen to meet with it, ought not to be grudged. I hope this will not be mistaken.

"Having said thus much, should I ever find myself again in a place where, to confess the truth but plainly with myself, I have no great business, I shall obey injunctions, and neither say, nor look, nor think anything about old kindnesses: while on one part, they cannot be too thoroughly forgotten; on the other, what is past is past, and not to be recalled."

"Hendon,

"Wednesday, June 29, 1791.

"Poor Louis! he has done himself up at a fine rate! To get upon a perch, and cackle out, 'I have been, not only a coward, but a hypocrite, for these two years! and that before he was out of

the cage! Rare sport for the Paynes and the Robespierres. I wonder how Mr Burke's little flirtation with Antoinette stands at present. As to the proclamation, it was not by her, but by one of her necessary women. But the loss of Mirabeau is sadly felt in the insipid, undignified, ill-reasoned answer."

Sir R. P. Carew writes from Antony House, near Plymouth Dock, June 14, 1791:—

POLE CAREW TO BENTHAM.

"Oh! that I had legs like my friend Bentham, said I, when strolling about this evening, then would I never be at rest; but as I am but a poor mortal, to whom some repose is necessary, after fourteen hours' fatigue, how can I better employ it than in doing myself the honour of addressing his high and mighty indefatigableness, to express my humble hopes that he and his illustrious brother would condescend to step a little this way.

"Seriously speaking, if I and my chateau survive *this day*, we shall be very happy to receive you and your brother, the colonel: I should perhaps have been afraid to have trusted myself and property with you alone on this day, but, in company with your brother, I think I might have ventured, as he has felt some of the advantages arising from the existence of hewers of wood and drawers of water.

"I have just now established a new ferry from Plymouth Dock to Torpoint, which is about a mile and a half from this house; and, I trust, you will not be able to give a good reason why you should not cross it a few days hence. Indeed, you did give me some reason and hopes that I might see you both here soon. By telling me by return of post that you are setting out, you will convey a very substantial pleasure to yours, very sincerely,

"R. POLE CAREW.

"P.S.—I know not where to write to the colonel, but trust that the contents of this letter will find him."

The next letter is from Benjamin Vaughan:—

"I beg your mercy—I left a *Moni-*

teur. in a hackney-coach, but I send a journal instead. Pray return the *Monniteurs*.

"Send for an essay on '*Landed Property*,' printed at Walters': it is in your own way.

"The French at Paris are perfectly quiet, but emissaries are endeavouring to excite the inactive citizens to claim votes. A modest attempt of *aristocracy*.

"We have no just accounts of the French refugees, nor do I hear more of the Prince of Condé's manifesto.

"Your *Irish* book is much wanted at Paris to keep up my reputation. I have only the postscript.

"June 24, 1791."

The discovery of his brother, to which reference is made in the correspondence from Zadobras, Bentham was induced to bring to the notice of George the Third; but I cannot find that any answer was given to the letter, which I have found among Bentham's papers, even if it was forwarded to the king.

BENTHAM TO GEORGE III.

"MAY IT PLEASE YOUR MAJESTY,—The enclosed account of an amphibious vehicle for the conveyance of armies, with their appendages, is an extract of a letter from my younger brother, Samuel Bentham, a colonel in the Russian service. The regiment of which it speaks was given him for his services in the defeat of the Captain Bashaw, off Oczakoff, in October, 1789, together with the order of St George, which he has your Majesty's gracious permission for wearing in his own country.

"The invention struck me at first glance as that sort of one which a subject of your Majesty's ought not to make public, without first using his humble endeavours to know your Majesty's pleasure. Bridges rendered needless: rivers, the broadest and most rapid, no obstacles to the largest army,—all by a modification given to the structure of a baggage-wagon! Expense saved too, instead of increased. The contrivance as simple as it has been proved to be effectual. Long, very long may it be,

before any demand occurs for an invention of any such nature, in your Majesty's immediate service! But even now, in the East Indies, perhaps, it might have its use. Had General Howe, or Lord Cornwallis, or General Burgoyne, been thus provided—But I will not any farther obtrude upon wisdom the suggestions of ignorance.

"In its infant state, it appears to have been practised with approbation in the Russian army; but the subsequent improvements which place the importance of it in a very different light, do not appear to have been ever known there. Detesting barbarity, the regiment he has chosen, is in a station many thousand miles distant from the seat of war. As far as depends upon myself, the idea remains a secret even to my father, whom I have accordingly been obliged to leave in ignorance of the whole letter, though full of little personal matters, such as a father would have been glad to see. Unqualified of myself to determine whether publication in such a case, be, or be not, a matter of indifference, I have hitherto abode by the old rule—'*Quod dubitas ne feceris*.' Submitting the determination thus absolutely, and in the first instance, to the first and most competent of all judges, I have fulfilled what appears to me the duty of a good subject. If, within a month from the present date, I receive no commands from your Majesty to the contrary, my doubts will be resolved; and I shall conclude myself in possession of your Majesty's permission to speak of this invention, as a man might of any other, without reserve.

"Being in the track of presumption, I will presume so much further, as to lay at your Majesty's feet an invention of a very different nature, of which, though the superstructure be my own, the fundamental idea originated with the same person,—a sort of building, which I call a Panopticon; because to an eye stationed towards the centre, it exhibits everything that passes within it at a view. Your Majesty's approbation, could the man of science and humanity be consulted at my humble distance from the King, would be one of the

first honours it could receive. It has been brought to its present state from the first crude conception, as exhibited in the first of the enclosed plates, at the desire of your Majesty's servants in Ireland, in the view of its being made use of *there*. *Here*, (not to mention the other purposes to which it might be applicable,) one-half, at least, of the present expense of maintaining *felons* might be saved by it at the first outset; and that without prejudice to the settlement in New South Wales; to which, considered in the light of a colony, every male, exceeding a small overplus above the number of females, is, in point of morals and population, worse than useless.

"The original letters, descriptive of the sort of building, and of its principal uses, refer only to the original rude sketch. The enclosed copy, printed at Dublin, is in the imperfect state (without introduction or advertisement) in which, by mistake, it has been sent to me. I am reprinting it here, together with a postscript, of which the first part gives a detailed account of the invention in its present less imperfect state, including some improvements that have occurred since the engraving of the plates; and the other, of a plan of management, such as the construction had in view. The reimpression of the letters is nearly finished. The first part of the postscript now accompanies the plates, and the second is in considerable advance. A copy of the whole, when completed, will be sent to your Majesty's library. The sheets now sent may serve till then for the explanation of the plates.

"Your Majesty needs not be told to what a disadvantage a building of this nature must be represented on a flat surface. I have thoughts of getting a model made; and, could I flatter myself so far as to hope that your Majesty would condescend to honour it with a glance, I should not hesitate.

"I am, with all humble respect, may it please your Majesty, your Majesty's dutiful subject,

"JEREMY BENTHAM.

"*Dollis's, near Hendon, Middlesex,*
"May 11, 1791."

Lord Lansdowne writes to Bentham from Bowood on the 3d July, 1791:—

LORD LANSDOWNE TO BENTHAM.

"We go into South Wales on Wednesday, but will certainly be returned before the end of the month, so that, if you have any devotion in you, you may acquit yourself of it either in August, September, or October, as you feel disposed towards the three Deities, who have chosen a month a-piece in their natural order; and if your brother is not too much captivated with Lady M—— to endure the simplicity of your religion, he will be very welcome.

"Affairs in the north look very gloomy, and I don't see how either England or Russia can extricate themselves without falling into another extreme. As to France, I am astonished to see what wisdom a nation, which has always been accounted a foolish one, can show."

The letter to Lord St Helens, which follows, dated 8th July, 1791, though written in the name of Colonel Bentham, is the joint production of himself and his brother:—

"I have just heard that a servant of yours is on the point of setting off to return to you; and having been in this country for about six weeks on an indefinite furlough, I would not let slip the opportunity of recalling myself to your remembrance.

"Since I saw you, I have been just equipping flotillas, and fighting on board them, and view them visiting my ever-beloved Siberia: in short, the inquiry, how utility is to come of it, is what must forever occupy me: it makes but little difference to me what be the country. I have at present the command of a regiment of two battalions: one of them on the Irtysh, the other near Kiaktha: 2800 miles one from the other. Projects of discovery and improvement, some executed, others, I hope, executing, and many more to execute, occupy me, and these battalions are subservient to these projects.

"After having come from the distant battalions, coasting all along the frontiers, I arrived at Bender and Jassy, where I

spent four or five months with Prince Potemkin, and in February last set out for England, passing through Trieste, Venice, Leghorn, Geneva, and France. I arrived here about a month ago: I have not yet fixed the time of departure, but believe it will be in the course of the summer.

"To help load your servant, I send you a parcel of things of my brother's—none of which are published. That on the Judicial Establishment, you may perceive, is not finished, and heaven knows when it will be. When he began it, his opinion of the French National Assembly was much better than it is at present. They had not at that time laid violent hands on private property with so flagrant, and so unnecessary a disregard to the feelings of individuals. The 'Panopticon' invention, of which the fundamental idea was mine, is taken up by the Administration in Ireland, by whose order, the letters that form the body of the work were printed. The postscript he prints here, to be reprinted there. If you look at any part, do not let it be at Part I. and the postscript—it contains nothing but dry details, relative to the mode of construction. Postscript, Part II., which is the last, you will perceive is not quite finished; but as it does not want much of being so, I thought I might as well send it, trusting to chance for an opportunity of sending the remainder. How much pleasanter it would have been for him if you had been still in Ireland, or, where the newspapers have been placing you, in England! As to any use that the Judicial Establishment has been of in France, much boast is not to be made. The D. de la Rochefoucauld, La Fayette, &c., when I came through Paris, took notice, that some few of the ideas had been adopted, and pretended very much to regret that more were not in the same case, but that it was in English, (Mirabeau was to have taken it up, but I know not what accident prevented him,) time was wanting for giving it the consideration it deserved, and the leading men were wedded to systems of their own, &c.

"The 'Panopticon' plan, as far as

we have had opportunities of observing, is approved by everybody, architects themselves not excepted, some of the most eminent of whom are adopting it in preference to their own ideas."

On the 21st July, Lord Lansdowne says:—

"As to foreign politics, I cannot help looking upon the emperor as the arbiter of Europe; and I believe him to be full as ambitious as his brother, only with more art, more prudence, and suite. The French nation seem to be the favourites of Providence; but it appears that Mons. de Calonne will never rest till he gets some of his friends hanged."

An invitation to Devonshire, from Sir R. Pole Carew, was thus conveyed:—

"As I am come a great way, so would I stay a great while to receive you here. What say you to four weeks longer,—tell me that it will enable you to give me your company, and your chemistry, for three weeks, and you will make me happy. But I am frightened at the name of Chateau-Antoine, when I reflect that mine is a strongly-built castle, and that the Bastille was in the Faubourg St Antoine. But if these reflections neither prevent your coming nor excite in you, when here, the spirit of demolition, I shall leave it to its fate when you are gone. In the meantime, I take the opportunity while I can, of sending you this *lettre de cachet*, enjoining you and your brother to render yourselves here instantaneously, upon pain of incurring our high displeasure; *et sur ce je prie Dieu de vous avoir dans sa digne et sainte garde.*—A vous,

"R. POLE CAREW.

"Antony, 22d July, 1791."

This invitation was accepted by the colonel, but not by Bentham. A few extracts from Bentham's letter to his brother, during his visit, are amusing; the technicalities in them refer to Sir Samuel's mechanical inventions:—

BENTHAM TO HIS BROTHER.

"Ay—I knew how it would be: I knew there would be some pretence or

other for idling and outstaying the time. There is no harm done. Dumont is 'one hundred miles off,'—I suppose at Bowood; Romilly not yet returned from the circuit; Wilson only will be with me, cheated by assurances (made before I received your letter) of your return in time. He sets out for Paris on Friday. I shall load him with copies, (if I can,) three or four to be in readiness for the Daudelon and the Coigny. The letters must go afterwards. I hope, by that time, to load him with copies of the Table likewise: I have it before me, but not in a sendable state. I hardly expect it will be in such a state by tomorrow's post—it must, I think, by Thursday's; therefore, at any rate, stay thou for it till it comes.

"A letter from Parson Williams—very reverential: that matter is as it should be.

"Mr Buggins, a fine man—lives in a fine house, and is never up before eleven. I have not seen him yet; but am told there is no talk of his going into the country soon. For *sight-worthy* persons at Plymouth, More mentioned Mudge, whom you know of old; and a man whose name begins with a T, and has two syllables in it—Turner or Teacher, it may be, for aught I know; he has, I think, a place in the yard—it may be Clerk of the Check, for aught I know; not that he knows anything—but he knows everybody. I have begun *economizing*—but this Table, while it lasts, is an interruption and a plague.

"Flush-Pump—is pretty well settled with regard to all the capital points. Out of fun, I won't tell you anything about it till I see you; but do you settle it with yourself in the meantime, that we may compare notes. This will increase the chance of settling it well.

"Your business at church on Sunday, I take for granted, was to return thanks for Tree Nail Engine: next Sunday, if you go, pray for the softening of Mr Pitt's heart.

"Don't omit to consult with Carew about the advisability of preserving the anti-colonizing, and any other obnoxious passages.

"Alas, that I am not with you! but

the Lord's will be done! Cast about with Carew all sorts of measures that appear to hold out a chance of bringing Panopticon to bear here;—the bribery plans, for example, in the event of its not getting a hearing otherwise. This as from yourself: anything of that sort will come better from an intriguing Russian like you, than from a reformer like your betters. The completion of the book, and the production of the Table, will be a fresh incident, which will warrant his giving them a fresh fillip.

"A fly is a thing that can be put on at any time—*Dieu merci*. But *Dieu* has set his face against poor Plaining-Engine, and sent a bit of a fever to the head man who was to have set about it. Mr Cooper, whom I visited this morning, could not pretend to show me anything of it, but said that it had been begun upon, but that it was a new business, and required a good deal of thought. The fever is not to last longer than tomorrow or next; but there is a great *disette* of hands—many works of art at a stand on that account—and, in short, the colonel could not do better than send his chest of tools there, and lend a hand himself. So now you find there is employment for you, I hope you will come and take it, and not stay lounging there any longer. I have offered my services at 6d. a-day, acknowledging that 3d. would be a great deal more than they would be worth. The complaint of want of hands general, as More told you; out of 150 that he wants, he can get but 80; he gives 25s. or 26s. a-week, to some of them at least, if not to all. Well—Plany, when once born, will, I hope, do something towards remedying the grievance. You see we must try somebody else for Tree Nail Engine.

"You must not go to Bowood without me. I wish to go there, and am determined to go there,—that is, if you go, and not otherwise. It will be necessary to go there if we go on our mechanical excursion, for the sake of getting letters, &c. I have proposed to Townsend, that if he goes with us, that shall be our starting-post. I have been writing a letter to Mr Daudelon, in your name, for you to see.

"From Basingstoke we will go to Whitechurch, which is 12 miles on the way towards Bowood. There we shall see our cousin and ward—transact a little business I have to do there, and be at the house of a friend, who has often given me invitations, and will unquestionably be glad to see us. From thence is but 22 or 23 miles to Townsend's living of Pewsey, where he probably is, and from whence he will take us to Bowood, which is 14 miles on foot or horseback, though, at least, 20 in a carriage.

"I charge you, on your allegiance, do not go now to Bowood with or without Lord Wycombe, but come back to London, as we agreed, for a variety of reasons.

"Louis should go before to Bowood to meet us—there are several there who talk French.

"In writing to Segur, &c., about Panopticon, it should be considered, that it would be worth while trying to have the contract there; for that purpose, the first thing to be done is to learn the expense per head of the present establishment for the confining of prisoners,—Bicêtre for example. The Comité de Mendicité either knows this, or could know it. It is a principle recognised lately by the National Assembly, that inventors ought to have the profits of their inventions: their Law on Patents is grounded on it.

"Your *Frenchwomen* might be written to confidentially to get an architect to join us in fighting up Panopticon—his profit being on the building—ours on the management. I think of sending them my letter and proposal to Pitt, which, with or without alteration, may serve for France. Vaughan is again pressing for the books for the Comité de Mendicité."

Bentham's father had, in consequence of his decaying health, been residing at Bath. Lord Lansdowne writes to Bentham that his father's health was obviously declining, and indeed he died in the following year 1792. It was intended that Romilly and Bentham should visit Bowood together; Romilly was, however, compelled to abandon the project, thus excusing himself:—

ROMILLY TO BENTHAM.

"8th October, 1791.

"DEAR BENTHAM,—I am prevented from going to Bowood by some business which makes it necessary for me to be in town for a fortnight longer, and then it will be too near term for one to venture out of town. It is not law-business which I mention, that I may not increase your ill-humour against our profession. I believe you understood from me before, what from excessive caution I repeat, that if you think my part of the *Tactics* worth printing, it is to be without my name; but indeed I think it cannot be worth printing. If you do print it, I would advise you to prefix as a motto, which will show *d'avance* that we are not disappointed at its want of success.

Quis legit hæc?
Vel duo, vel nemo."

In answer to an inquiry of Bentham's, as to the constitution of the American Convention, Benjamin Vaughan gives this explanation:—

BENJAMIN VAUGHAN TO BENTHAM.

"I presume the progress of conventions to have been natural at least, if not wise, in America.

"That country was without a government when it revolted from England. The several parts of it chose deputies to frame the respective governments of those parts; and the governments so framed differing from the simple form of the constitutive assembly, and being experiments, but designed to be experiments rigorously pursued, the public kept the power of modification in its own hands, by reserving to itself the right of deciding changes; either making a tacit or express provision for that purpose. Principles of a constitutional nature are so different from the common objects of government, that I cannot wonder that they were thought to admit of being referred to different bodies, or at least of being discussed under different regulations. A complex government is naturally farther removed from the people than an assembly composed of deputies only; to say nothing of the

advantage of making the discussion more solemn, and having the people partaking in it, by keeping distinct from legislation what respects a constitution.

"As the people had nothing but charters, &c., in America before the revolution, histories of the revolution, like those of Ramsay and Gordon, (joined to the provisions of the constitutions themselves on this subject,) must be supposed likely to give the requisite information on this head, and Stockdale will furnish the above."

Bentham went to Bowood at the end of 1791. Amusing enough are some of the exhibitions of his playfulness. He wrote to Lady E—— G—— the letters which follow:—

*"Hendon, Middlesex,
27th November, 1791.*

"HONOURED MADAM!—May it please your ladyship! I am the young man who was taken from behind the screen by my good Lady Warwick, in the room where the pianoforte is in Warwick castle, to wait upon your sweet person, and had the honour and happiness of accompanying you with the violin in one of Signor Bach's sonatas. I hope your ladyship's condescending goodness will excuse my freedom in addressing you, as I hereby make bold to do, wishing for the felicity of serving your ladyship in the capacity of musical instructor, or anything else I should be found capable of, being turned adrift upon the wide world, and out of place at this time. I served the Hon. Miss F——, whom believe your ladyship knows,—she being, as I am informed, your ladyship's cousin-german,—for ten long years, and hoped to have served her 'till death, had I not been, with grief be it spoken, forced to quit her service by hard usage. She was a dear lady, and a kind compassionate good lady,—as I have heard everybody say, and to be sure so it must be, as everybody says so,—to everybody but poor me. To be sure it must have been my own unworthiness, therefore it would be very unreasonable for me to complain. I am sober and honest, willing to turn my hand to anything, and

not at all given to company-keeping, as I am sure my said late honoured lady, notwithstanding what has happened, will be ready to say for me. Dr Ingenhousz, who is my lady's head philosopher, being somewhat stricken in years, I was in hopes of being promoted to his place, when Providence should please to call him away, considering that we are all mortal; but my evil star has ordered it otherwise. The times being hard, I am willing to serve for small wages, having had nothing given me to subsist upon, in all the ten years, except the direction of a letter, and a message or two, and they were given me by other people. As to playing on the pianoforte myself, I thought it better not to trouble myself with any such thing, for fear of spoiling my teaching; by reason I have known your fine, tasty, fashionable, flourishing masters, who, instead of attending to their pupils, chose rather to keep playing themselves, for the sake of showing a fine finger. I am used to travelling, and am willing to attend your ladyship all the world over, as likewise to any part of England or Scotland; particularly the latter, which is the most delightful country upon earth.

"I hope your ladyship will pardon my making so bold; but I have a brother, a colonel by trade, who has a good mistress, who has given him leave to go about for awhile and see whether he can do anything to mend himself. As it has become the fashion for ladies to practise shooting, I think that he may find employment by teaching them that, or anything else in the art of war—think him qualified, as there would be no objection to his teaching,—although I can't say I ever knew him draw a long bow,—to turn philosopher, as he has made greater bounces in his time than Philosopher Ingenhousz. Having learned metaphysics of the celebrated Miss V., would be qualified as usher to a metaphysical academy, but would prefer private service. These few lines conclude with humble duty from,

"Honoured madam,

"Your ladyship's most obedient,

"Humble servant to command.

"P.S.—O dear! O dear! well, what a lucky thing it was I happened to mention Scotland; it has brought the charmingest thought into my head that ever was. Did your ladyship ever hear of a place called Gretna Green? They have a way of playing duets there, and such duets, it beats all the concerts in the world; Signor Bach's music is nothing to it. There is no such thing as learning them at home: one must absolutely go there first to see the manner of it. There is a gentleman always, and a lady; and then a blacksmith in a black gown plays with his hammer dub-a-dub-dub, and yet it is but a duet after all. Well, now, as your ladyship, I have heard, likes travelling, and Scotland is the delightfulest country in the world, how comical it would be if your ladyship were to take a trip next Saturday to Gretna Green, and I were to attend your ladyship, as, to be sure, you could never think of going such a journey alone, and I would come slyly, just as it was dusk, and meet you just behind the Green-house, and nobody should know anything about the matter, and I would have a chaise-and-four ready, and off we would go with a smack, smack, smack! to Gretna Green! And then Lady W. would cry—Where is Lady E.? and Lord W. would cry—Where is Lady E.? and nobody would know. And then all the servants would be called up, and there would be such doings, and all the while we should be playing duets at Gretna Green! and then we should come home again; and then there would be such a laugh; and then Lady W. would cry—How comical Mr Bentham is!—I do vow and declare there is never a man shall play duets with my E. but Mr B.

"P.S.—Pray dear, sweet, good my lady—there's a dear lady—don't say a word to any living creature about this, as it would quite spoil the joke."

"Dover Street, 29th November, 1791.

"HONOURED MADAM,—This makes bold to inform you that my lady and I have made it up, and she has given me what is my due, and more too, and a dear, sweet, good lady she is; where-

fore I have altered my mind, hoping no offence, and as I stay in my place, have no call to go with anybody to Gretna Green, unless it be with my lady. As everybody is willing to do the best they can for themselves, hope your ladyship won't be angry, as a rolling stone gathers no moss, as the saying is; and it cannot be expected a person should leave a good place, unless it were to better himself. Should anything amiss happen another time, should be very proud to serve your ladyship, or anybody. My brother being still disengaged, if agreeable, could venture to recommend him—and am,

"Honoured madam,

"Your ladyship's very humble

"Servant to command."

To Miss F——, Bentham writes:—

"Lord Lansdowne has trumped up a story about certain songs having been asked for by Miss F. Five times was the number mentioned, which consequently requires five letters. Being taxed with fiction, he unloaded his pockets before me of their contents, including about fifty letters, among which were to have been the five, or some of them; but is unable to find one. It is an old manœuvre, and will not pass upon anybody, not even upon me. The notice, however, having been given in form, with threats of disgrace in case of neglect, I must act as if it were true. Well, here it is—the same song—it has cost me hours after hours—pieces of days, as many as there are days in a week at least; and what will anybody be the better for it? When you ordered it, you did not want it; and now you have got it, you won't make use of it. I am recommenced wild beast, and growl as every wild beast will do when you touch his chain. Not a syllable did I get from you before, nor shall I now,—not so much as the direction of a letter; and the notice, supposing it genuine, was to come in *circumbendibus* through two different channels. Here is the song, extracted from me, in the most dexterous manner; and not only that, but paper enough to singe a goose with, without anybody committing himself. I don't

like such sort of dealings, not I. I have read Cocker's Arithmetic,—I like to see a debtor and creditor side fairly balanced,—needs must when — drives. Peace and quietness are my aim; but Lord L., who knows the necessities of an election, and who will never let me alone, insisted upon having, not only song, but letter; so you have him to thank for it. The old story—providence in plenty; but all of it on one side. The ice becomes the colder, I think, when the three Dianas get together: they are like snow, saltpetre, and sal-ammoniac: there is something Greenlandish, too, in the air of that old castle. Hear me, madam! If I don't get something better, by return of post, than a note in solemn form, and that from one hand only, the whole correspondence goes, the next day, to, I need not say where—I leave to imagination to conclude the sentence. I thought we had got our *quietus* when the metaphysical disputations were adjourned to Lansdowne House; but fate would have it otherwise. My brother, who is too good to you, talks of sending you a Russo-French song, music composed, and given him by a Countess Golofkin, or Go-lovekin, as you may be pleased to call her,—which said song Miss F. will neither have the industry to learn, nor the punctuality to acknowledge the receipt of. I send it rather as a literary curiosity than for its excellence; but though his *Visho-blagorodinship* gives a toss of his head, and observes that such accomplishments there exhibited are common among the ladies of that country, found something original in it, and not unpleasing; and, at any rate, it is easy, which is no bad recommendation in this idle world—curiosity I call it, speaking as an Englishman. But it must be copied out first, which will give occasion to the said Miss F., after consultation with Miss V., and consent given by beg of Lady W., to Miss E. in her next epistle to Lord Henry, to desire him to tell Mr Favre to intimate her wishes to Lord Lansdowne, that his lordship would have the goodness to send somebody to Mr Bentham that he may remind his brother of it."

I extract a passage from another letter:—

"Burke was one of our party,—savouring aristocracy. 'We are all aristocrats,' says he, 'I take for granted,' looking round him. I answered, as Miss F. would have done, with a smile. Where my notions happened to coincide with his, which was in one instance, perhaps, out of a quarter or half-a-dozen, I chimed in with him; where we differed, I held my peace: why should I have let it go, and broken that of the company, by running a tilt against a man who was strewing flowers on my head, not to mention the good he seemed disposed to do to the cause. Be that as it may, I kept my tongue in order; but to little purpose, for democracy sniggered in his countenance."

Of Burke, Bentham had begun to entertain a very mean opinion. He was engaged at this time in writing, for the *Annual Register*, articles on the war, and on general politics. Bentham thought him insincere and shallow, and wholly devoid of any concern for the happiness of the people.

Bentham sent to the Bowood ladies, with a copy of *Panopticon*, the letter which follows:—

"I send you a roasted lord for breakfast, or for after breakfast, as you please,—a courtly lord,—a deserter from your uncle. I roast him, however, not for being a lord, nor a courtier, nor a deserter, but for being a rival of mine, and because it will not be of so much prejudice to him, as it may be of use to me. I have sent a double portion, that you may give a slice, if you please, to another uncle, (I mean the cold one;) but upon the condition that, at any time, you should happen to be witness to his dropping of his own motion anything, or any word, that by any construction can be deemed a kind one, with reference to me; anything that could afford a willing interpreter a pretence for supposing that the dish could be at all relished for the cook's sake. Should no such sign ever make its appearance, my instructions and humble petitions are, that you would keep the share designed for him

till you see me metaphorically, or if you would permit it, literally at your feet."

It appears that Dumont suggested to Bentham the desirableness of his addressing the National Assembly of France on the subject of Law Reform. I find, in Dumont's handwriting, the translation of a letter which he drew up, in order that Bentham might address it to Garran, member of the National Assembly of France:—

(Translation.)

"Cocceius, seeking help for the Prussian code, thought he had done much in looking over the whole extent of Germany. But your views, Sir, have embraced the whole world. Fifty ducats, extorted from the purse of the royal miser, was the price at which a Prussian chancellor valued that code of legislation which was entitled to the preference—such was the honour he did to the political knowledge of the whole empire. It remained for a Frenchman to conceive, that genius was not exclusively confined to certain geographical division, and that the most appropriate reward for services of this order was the certainty of obtaining the attention of the representatives of a great and free nation.

"I was far from home, Sir, when I learned by chance, in reading one of the Logographs, the distinction as flattering as unexpected, for which I am indebted to your eloquence. Little surprised that an English work had not awakened the attention of the Committee of the preceding Assembly, I abandoned, on reflection, that which, in zeal, I had undertaken, and from that moment thought no more of labouring for France. I feel that I should labour with redoubled energy if I could anticipate the chance of being useful by seconding the labours of so many enlightened men.

"I take the liberty to request, Sir, you will accept a copy of such of my works as have been printed. Two are incomplete for the same reason—one on Judicial Establishments, the other on Parliamentary Tactics; and, though printed, have never been sold. If your

leisure should allow you to glance over any part of them, I should wish it were the preface to the Introduction to the Principles of Morals and Legislation—where the outlines of the character of my writings will enable you to judge how far they can usefully be applied to France.

"In the event of my being honoured by a commission on the part of the Assembly, to communicate to them my ideas upon the subjects in question, would it be unreasonable on my part to hope for a copy, by their order, of the documents it is necessary I should be furnished with for that purpose? I mean the Procès-Verbal of the late Assembly, the decrees of that Assembly in their systematical order, and the acts of the present Assembly as they came out: to which may be added the Logograph, as containing the fullest and exactest account of the debates—that is, of the reasons for and against every measure, without which, the bare acts would be but a very imperfect guide. The Procès-Verbal I took in, together with a number of other periodical accounts of the proceedings of the Assembly; but my copy, owing to various accidents, is too imperfect to answer the purpose. There are none of these documents, it is true, but what I could procure through the ordinary channels; but the truth is, that, besides so great a part of my time, the French Revolution, since the commencement of it, has cost me, in one way or other, purchase of books and other printed documents,—printing of books never offered for sale, paying of copyists, &c. &c., considerably more than the amount of what, during the same interval, I have spent upon myself. I neither meant to ask, nor ever would accept, though it were offered me, any pecuniary reward, nor any other indemnification for any expenses I have been at, or may be at in future; but as far as concerns a copy of such documents as are at the immediate disposal of the Assembly, the idea of receiving them from the bounty of the Assembly, will, I hope, not appear to you an unreasonable one. This expectation, however, on which I do not by any means lay

any stress, I beg leave to submit, without reserve to your better judgment and friendly determination. You will easily perceive, that, under such circumstances, the distinction is much more my object than a pecuniary saving to so inconsiderable an amount."

On the 25th November, 1791, Bentham wrote to Garran a letter, of which the following is a translation :—

BENTHAM TO J. P. GARRAN.

"By the next diligence, I shall take the liberty, Sir, of sending you an English book, entitled *The Panopticon*, as promised in my last letter; and I forward herewith an extract in French from the same work, which has been made by a friend. I desire to present it to the Assembly, in order that it may be read, if you think it worthy of your attention. I trust it to your experience, and I shall gratefully obey any instructions you may give me. With respect to the project itself, my most intimate conviction, supported by the unanimous opinion of those who are acquainted with it, has induced me to take every step to obtain its adoption. France is the country, above all others, in which any new idea—provided it be a useful one—is most readily forgiven. France, towards which every eye is turned, and from which models are exported for the various branches of administration, is the country in which the project I send you, has the best chance. Would you know how strong my conviction is of the importance of this plan of reform, and the great success which may be anticipated from it? Allow me to construct a prison on this model—I will be the gaoler. You will see by the memoir that the gaoler will have no salary—will cost nothing to the nation. The more I reflect, the more it appears to me that the execution of the project should be in the hands of the inventor. If the opinion of your country is the same as my own, perhaps there will be no repugnance in falling in with my fancy. But be this as it may, my book contains the necessary instructions for whomsoever may be charged with the work; and like

the prince's governor of whom Fontenelle speaks, I have done my best to make myself useless."

To this communication M. Garran replies :—

(Translation.)

J. P. GARRAN TO BENTHAM.

"22d December, 1791.

"I have long owed you thanks, Sir, for the missive you had the goodness to forward me, and for the letter which accompanies it; and I have too much respect for your opinion, not to give you the reasons for the delay which has occurred. I had all along hoped that the Committee of Legislation would have made its Report on that work of yours, which was submitted to it for examination by the National Assembly. Unfortunately this Committee has been always occupied with pressing details, which have absorbed all its time. Against my opinion it is composed of sixty-eight persons—certainly not the way of making progress; and though I have had the honour of presiding, I have never been able to obtain a moment for the necessary attention to the subject.

"You have more than shown us, Sir, that you wanted no thanks of ours—though these must not be refused to you, to induce you to offer to freedom and humanity some proofs of your zeal and your instruction. The National Assembly has welcomed your tribute as it deserved. It saw in you, according to the expression of one of your great poets, worthy to sing the praise of liberty :—

"On public virtue, every virtue joined."

I have the honour of sending you an extract of the *Procès-Verbal* of the Assembly. You will see the order for printing the extract, to enable the deputies to consider the subject before the time for discussing it. I will send you some copies as soon as it appears. One of our citizens was desired to translate the work; and I have delivered to him one of the two copies which you addressed to me, and which I had deposited with the Committees of Legislation, and of Public Help, (*secours public.*)

"As to myself, Sir, I shall transport to Orleans all the works you have deigned to send me—whither I am going as Grand Procurator of the Nation, before the High National Court. I anticipate that I shall have some days unoccupied before the meeting of the Grand Juries; and I shall employ them in studying your writings, which are not meant for a hasty glance alone. I shall then avail myself of the privilege you have kindly conceded, of discussing them with you. I have hitherto only read your 'Fragment on Government,' which shows me, that before our Revolution, you had well understood the principles upon which it was based—and from which it were well had our constitution never deviated.

"Receive, Sir, the assurance of all my respect,

"J. PH. GARRAN.

"I have given to Condorcet and Brissot, the packets intended for them."

Extract from the Procès-Verbal of Tuesday, 13th December, 1791:—

"*National Assembly.—The Law and the King.*

"A member read a letter, addressed to M. Garran, by M. Jeremy Bentham, breathing the most ardent love of humanity. This generous Englishman offers a work on the reform of prisons, houses of correction, and poor asylums. M. Bentham proposes to come himself to France, in order to establish a prison on his plan, and to become, gratuitously, the gaoler thereof.

"The Assembly has decreed honourable mention of this offer in the Procès-Verbal,—charges the Committee of Legislation with the examination of the work,—and orders the printing of the extract sent by M. Bentham, for the instruction of the Assembly.

"Compared with the original by us, the secretaries of the National Assembly,

"CLAUD. FAUCHET.

"LIANCOURT.

"THURIOT "

(L. S.)

An incorrect account of what passed in the National Assembly appeared in the *Morning Chronicle*. I find in the handwriting of Bentham a statement of what occurred. M. Garran reported to the National Assembly that he had received a communication from Bentham, and proposed that it should be read at the Tribune—on which an amendment was moved by M. Liancourt, that, instead of being simply read it should be printed, distributed among the members, and referred to the Committee of Legislation and Succour, which was adopted with applause.

BENTHAM TO MISS V——.

"December, 1791.

"Lord Lansdowne gives me pain. A friend of mine, who is intimate with Madame Helvetius, having put into my hands a couple of remarkable letters of her husband's, in which he condemns his friend, Montesquieu, for his aristocratical principles, predicts the immediate success of the *Esprit des Loix*, and its subsequent downfall, as well as the prevalence of democratical principles, I communicated them, as a literary curiosity, to Lord Lansdowne. They interested him, and, as a proof of it, they ought to be translated into English, and published with a commentary, says he,—suppose now you were to do it. There are friends of ours, my lord, who could do it better—they are more in the habit of doing such things. What, Mr V——! the same? Ay! see what comes of my proposing it: if anybody else had proposed it to you, or nobody, it might have been done. What, I suppose, if your orders were to come from Warwick, then perhaps it would be done! O yes!—to be sure—that or anything else. What! then you are serious?—Quite so,—that is, first the petition goes from hence to Warwick, then orders from thence to Ampthill, then other orders from thence to Dover Street, and then the business is done in a trice. But the orders must be particular, and tell me what it is I am to do, otherwise, how am I to know whether I do right.—Oh, no, you know what to do well enough.

Indeed! not I—then a look of dissatisfaction. Well, as you will, you know I have no interest in it—not I. My dear lord, my wish is to comply with yours; but then I must know what it is distinctly; else, what can I do? I have no interest in it. This was the very language on a former occasion, when my intractableness brought me into a disgrace, from out of which I am not yet perfectly recovered.

“Now, my dearest and most respected friends, suffer me to call you by that name—help me, pray do, to satisfy him, which you can, if you please; and which you will, if you believe me, that I regard him with the same tenderness as ever. Suffer him not to fancy himself that I am of the number of these, who, upon the first rebuff that any wish of theirs happens to meet with, think themselves licensed to forget past kindnesses, and to fly off from their best and kindest friends and benefactors.”

The letter which follows, in which a little disappointment and annoyance is obviously united with the pleasantry and irony of its style, was addressed to the ladies of the Bowood family, on occasion of their having denied themselves to Bentham when he called:—

“Dover Street, February 2, 1792.”

“I am glad to find you have begun to feel something like remorse; it is a virtuous sentiment,—do not struggle to suppress it. It has, however, a little more work to do yet, or it has worked to little purpose. If it be still true that you have no possibility of seeing me anywhere but at Lansdowne House, it remains as true as ever, that I have no possibility of seeing you any more. Excuse me; but the footing on which your compassion would replace me, is not now a tenable one. My mind was made up, and everything arranged; such work is not to be done only to do over again, nor to be done for nothing—No! indeed it is not. If the unintentional offence is to have its intended effect, and my exclusion from your house is to remain in force, I remain excluded from every house which has your eyes for guards to

it. What desperation suggested, reflection has confirmed. To what purpose depart from my resolution? What is it I have to lose? If it would not be any pleasure to you to see me, what pleasure can I have in seeing you? If it would, is it possible you can persist in excluding me from the only place to which you can give me a right to come?—At Lansdowne House. Yes, surely, whenever it so happens, with, I mean always, the greatest pleasure; so long as yours were likewise open to me; but if it should not so happen? I am at Lansdowne House—if you will have the goodness to recollect, not when I please, nor even when you please, but when the owner of it pleases. In the course of last winter, for example, two or three times; one of the times I saw Miss V.—how? through a telescope, amidst a cluster of ladies whose faces were scarce known to me. What charms do you suppose an intercourse like that can have for a man of my habits and turn of mind? What should I lose by losing it? What is it you supposed me to have looked for in the company from which you have banished me? I will tell you as if you did not know. A society of two or three, since one is too much to hope for, whose prudence and intelligence authorized me, while their kindness invited me to unbosom myself to them without reserve; who would listen, not with *derision*, but with satisfaction, to my notions and my projects, my hopes and my apprehensions, my disappointments and my successes; by whose judgment I might be enlightened, and by whose sympathy I might be soothed; to whom, should any occasion happen, I might even look for marks of reciprocal confidence, without fearing the imputation of impertinence. This, or something which seemed not altogether incapable of being improved into it, I have now and then enjoyed, by short snatches, at Bowood and elsewhere. This, if such had been your pleasure, I might have enjoyed without disturbance in Albemarle Street; but what room could I have hoped to have found for it, in the promiscuous bustle of an accidental dinner, two or three times a-year, at Lansdowne House? You who know in

such perfection everything that women ought to know, may please to recollect that houses too have their sex: that there are some at which a man may beg to be let in without being ashamed; others at which no man deserves to be let in, who will be content to beg for it.

"One comfort I have left me, that the disgrace I had to swallow was not embittered by the consciousness of anything on my part that could have led me to expect it.

"Two years and more are elapsed, since I received an invitation, which has not been forgot by anybody; had I then understood it time enough, and accepted it, how, *then*, I wonder, should I have been received?

"With repulsive looks, short answers, and concerted silence? Would the fourth teacup have been kept carefully out of the way, and the time of your breakfast have been fixed to the exact moment, whatever it might prove, when the door had been heard to shut upon me? Had I happened to have found any advice to beg, or paper to put into your hands, would the communication have been received with a tone made up of indifference and impatience, and a look of surprise at the presumption that could have dictated so ridiculous a liberty?

"Had my title to consider the sentiments which dictated the invitation, as subsisting, suffered any diminution in all that while? So many marks of sympathy and kindness—so many letters which, estimating them by my wishes, I found cold, and short, and few, but which now are too much otherwise to be trusted in my sight; was I, from all this, to conclude myself thrown back into the condition of a stranger, and that the favour shown me in those early days was become too much for me?

"Is it for any want of Lord Lansdowne's sanction that you found it necessary to consider the permission as withdrawn? Lord Lansdowne, to whose kind suggestion I so plainly owed it at the time, who has so often rallied me for my non-acceptance of it, and oftener in the presence of those who had given it than otherwise. Was it for want of knowing how to prevent my availing

myself of it?—was it for want of expecting me to do so?—was it for want of notice of my intended intrusion, that you were driven to so ingenious an expedient for cutting it short, and punishing it? Would Lord Lansdowne have reminded me of the invitation so lately as he did, if he had received the smallest intimation from you to prevent my executing my threats?

"I have really nothing to accuse myself of, unless it be excess of prudence. Miss V.'s arrival in town not being so early as that of Miss F. and Miss E., I would not venture till she came. I announced myself to the servants as coming with a message from Lord Lansdowne, that it might appear a matter of necessity to receive me, and that I might appear to them to be indebted to my mission, and not to myself, for whatever notice might be taken of me. I do think I enter, at least as well as any other *man* upon earth could do, into the spirit of all your scruples and your delicacies, and with very little exception, even in the midst of my sufferings from them, admire you but the more. Believe me, you can scarcely be more awake to what may be, or may be thought, propriety on your part, than I am. But unless some recent aversion be at bottom, I really cannot find out what it is your delicacy, three of you as you are, could have had to apprehend from a man like me; still less had I taken upon me to execute my threats in their full extent, and bring with me another person, whom you may recollect by the relation he bears to an old gentleman who had the exclusive honour of being the subject of your inquiries, the situation he is in, being your security against his presuming upon such a mark of notice on the manner a younger son of his might have done. But why do I talk of delicacies? as if your experience were less mature, —your prudence less confirmed, or less superior to censure, now that you thought fit to punish me for obeying the invitation, than two years ago when you vouchsafed to honour me with it?

"Now will I be generous to you. If you cannot muster up kindness enough to enable you to receive my visits with-

out repugnance, I shall not be the only sufferer: you will, in that case, have the consciousness of having inflicted an unmerited wound, which it was out of your power to cure; and this consciousness, if I know anything of you, will not sit lightly on you. I say *kindness*; for if the statement be wanting, you know me too well to think the momentary expression of it could either satisfy me, or pass upon me; you owe it to me, as well as to yourselves, not to make any such attempt. Accept in that case my forgiveness; you have need of it. But if without effort, as well as without compliment, you can say to me, 'your visits would give us pleasure,' what possible consideration can excuse you from listening to the suggestions of compassion, when backed by the commands of justice? The sufferings I have endured will serve, then, but to heighten the value of the amends you have in store for me. Do you fear my becoming troublesome? correct me, or even discard me at any time. Whatever place I may have enjoyed in your favour, I am, and ever shall be, your debtor for; your grateful and insolvent debtor. The smallest hint from Lord Lansdowne would do it,—this would be the gentlest of a thousand modes. I need not repeat to you the severest. I could fain find excuses for what is past, and so I could, perhaps, had I any encouragement to look for them. Some of you, I doubt, were not chidden quite so severely, some years ago, as you ought to have been, for tearing flies' wings off, or holding them in the candle. You saw, in thought, a male creature in your power, and mistaking cruelty for delicacy, you thought to give yourselves a moment's amusement at his expense. It did not occur to you at the instant, so completely as it ought to have done, who that male creature was, or what you knew of him, and what you had seen of him, nor that the parts of his character which made him such good sport, ought to have saved him from being the object of it. When ready to sink under his distress, he looked into every eye for mercy, and found none; sentence had been passed before he had made his appearance, and no

fresh council could be held to give him a reprieve.

"Now, retire each of you to your pillow; and, to-morrow, let the coldest hand among you, write to me:—'Mr Bentham, we had once a friendship for you; but the humour is past, and you must not see us any more.'

"I have been forced to write this at odd times, when I could escape from my brother's, as well as every other observing eye. I have had him to comfort all this while, as well as to get rid of; for to this moment he knows nothing of the whole affair, but by the effect he has seen it have on me. You may think this odd—but it is most true; and if you knew our way of dealing with each other, you would easily conceive it."

The effect of the letter was an immediate invitation.

There are some amusing references to the Panopticon project, in a letter to Miss F.

"Just returned from the post-house, where I ran in my own proper person, with my letter in my hand, as fast as my heels could carry me. There lies your note, and here sit I, eyeing it as the cat did the gold-fish in a pail of water, longing to devour it, and terrified from so much as touching it by the idea of the impression under which it was written. What heroism! Had you been Mrs Bluebeard, the fatal closet would never have been opened, and the world would have remained for ever deprived of so edifying a history. What if, after all, you should be laughing at me? I suspect it terribly; and that your taking me at my word, is a contrivance for turning the tables on me, and punishing my feigned anxiety with a real one.

"My ideas just now are a jumble of architecture, and Lord L., and natural philosophy, and two Minervas, and two hundred and fifty felons, and Miss F.: the flower of the creation and the dregs of it, all afloat together. The dregs are all I ought to be thinking of,—but how is it possible?

"The state this same Panopticon book is in, is that in which a copy of it has been

taken for the press in Ireland; but as there are things, which, though one addresses to the world in general, one could not address to everybody in particular, especially where one is under continual terrors of giving offence, I may perhaps find a leaf or two which I may see occasion to draw a curtain over, somehow or other, which if anybody thinks fit to undraw, it is no fault of mine. Had Miss E. such a person as an aunt at her elbow, I should make no scruple of addressing the whole to the great aunt as it stands, that she might hand it down from niece to niece with or without reserves, as to her wisdom might seem meet; but as you have no such piece of furniture upon whom I could unload myself of the burthen of responsibility, it concerns me to take care of number one, and not get into any more scrapes, with so terrible a one, which I am not yet clear of, before my eyes. But do not make a handle of this, to send the whole back again unlooked at, for I stake my whole credit with you, upon my leaving nothing in the smallest degree dubious, which it shall be possible for you to set eyes upon, without your own act and deed. Please to observe, that it was not only designed for publication, but addressed originally to my father, besides having since passed through the censor's office, as above-mentioned. It would be necessary you should have read it, were I to lay the projects upon projects I have built upon it at your feet, which I should beg permission to do, if—Oh heavens! there I am at a cruel stand—if you did not live in an enchanted castle, with a guard of hobgoblins all round it. The magician I have offended leaves me no rest. The day I sent the letter that was returned me, I made a second attempt to see Lord W., and had actually learnt of the porter that he was at home, though not very well, when out rushed a furious dragon, breathing fire and smoke at me. I lost my senses to such a degree that I had not power to make any inquiries how long the monster had been there, how long he was to stay, whether he had flown thither with Miss E. and you upon his back, or whether he had left

you with a guard of any and what subdragons at the other castle. I crawled back as well as I was able to Bedford Row, from whence I came; and thus it was that the two letters which have brought me into this scrape, instead of being addressed at once to Bowood, from whence your thunder-striking note that speaks of them is dated, went under cover to the Great Dragon of Berkeley Square. Yesterday I saw Lord W. at last, at Mr Vaughan's, together with a pretty young prince he brought in his hand, whose name begins with a Cz., and whom I suppose you know; and Dr Blagden, Secretary of the Royal Society; and Mr Vaughan, and Mr Reveley, whom Mr V. had invited out of pure kindness to me, not having ever set eyes on him before. The conversation was all general. I found no more occasion than I had courage to talk to Lord W. about dragons, though we talked a good deal about elephants, as well as about an animal bigger than an elephant, and bloodthirsty into the bargain, and who, instead of exterminating all other animals, has himself been exterminated. It was a pretty little party. Your whole triad loves and protects Mr Vaughan. Methought I heard, every now and then, a sound like that of three humming-birds fluttering about the table. If it was you, I dare believe you were amused. Lord W., at coming in, took Mr Reveley by the hand, with his wonted courtesy. 'Ah,' said I, (no, I did not say any such thing, any more than I thought it,) '*beware of specious men.*' Talking of Abyssinia, and so forth, he (Lord W. I mean) laid me flat on my face, with a volley of Herodotus in the original. '*How good-natured and well-bred is Lord W.,*' (says Reveley to me, just after he was gone,) '*he has the air, without anything at all of the AIRS, of the man of quality.*' Moreover, the Great Dragon had appeared to him in a dream, and said to him, '*Be of good cheer: thou shalt build the Panopticon: and thy fame shall go forth amongst the nations.*' This is all I know about the dragon, except what there is in the Apocrypha.

Did it ever happen to you, in communing with Miss V., to drop a word

about the presumptuous mortal who writes thus to you? Tell her with what devotion I embrace the tip of her left wing. She is helping, I suppose, to train the beautiful little cherubim at the castle. I have not yet forgot the kiss I obtained of the eldest, for worshipping her on the fiddle."

The following letter to the same lady accompanied a coloured drawing of a fuchsia,—a flower then rare, but now as common as it is beautiful:—

"Do you know the proper name of this flower? and the signification of that name? Fuchsia from Fuchs, a German botanist. Fuchs is German for a certain lady's name. Did you know as much? You are a philosopher: you know the influence of the association of ideas. When last at Bowood, you were pleased to accuse me of indifference to Fuchsia: pretty association, was it not? J. B. indifferent to Fuchsia! This is a wicked world to live in. I half suspect a little malice in the case, and that a little more was understood of German than was acknowledged: it is an old amusement of some people's to observe what I am fondest of, and charge me with dislike to it. Will you hear what an innocent man has to say for himself? At first sight, Fuchsia's own proper merits had made an impression on me, and such a one as ought to have saved me from the imputation; what is more, the charms it derived from relation were, at the time of the charge, not unknown to me. I pleaded, generally, not guilty, protesting innocence, and, as usual in like cases, with little appearance of success. What could I do?—beset as I was, I chose rather to see condemnation passed on me, than bring to light the strength of my cause,—produce my German evidence, and prove guilt to be impossible. The place was infested, as usual, with third persons, painted Frenchwomen and Irish cormorants, hovering, as you may remember, over fuchsias, geraniums, myrtles, and devouring them with their eyes.

"Hoping no offence, I have taken the liberty to resume a small sprig for myself, to set up at home in the part of the

room where a good Russian puts his saint. Should I ever become a convert to the Negro religion, it will serve me for a *Fetich*; it has more properties than Mynheer Fuchs with all his learning was able to discover. Fuchsia is symbolical, emblematical, typical; but I must stick to generals, for if I attempt to draw parallel lines, I shall make blots, and fall into a scrape. All I shall say is, there are different species of fuchsia. Some, if the truth may be spoken, with all their beauty, not altogether free from formality, and a little affected: others superior to all formality, and pure from all affectation: a man need not be a Linnæus to descry the difference.

"This Birmingham fuchsia, after all, now it is come, does not answer expectation. The one I saw before, and which suggested to me the idea of endeavouring to get another such, seemed, upon recollection, much better done; but, perhaps, the supposed difference may be owing more to the different degrees of interest with which I viewed them, than to any difference in the objects themselves: another subject for your philosophy to exercise itself upon. Upon taking notice of the paleness of the leaves, the lady who got it for me observed, that this was made from no better a model than a coloured print of Curtis's, whereas the other was made from the plant itself, of which no specimen, she said, is to be had at this time of the year. The red stripes in the leaves, I am positively assured, are according to nature. How that may be, I cannot pretend to say; but at any rate, the green is of such a colour as surely no natural plant of the kind could ever have exhibited, unless, peradventure, at the eve of its dissolution. Why, then, says the indignant fuchsia, pester me with such trumpery? Because, because—now I will answer you honestly—in the first place, because, in order to know whether and how to find it, I was forced to ask Lord L., which I did before I knew that what I had to send was not fit to send; whereby Lord L. and Lord Henry, who was by, learned that I had something to send to Ampthill, and so the intelligence might get to Warwick,

and from thence to Ampthill, where expectation, if not prevented, might be raised, and Miss E. and Miss F. might be upon the look-out for a collar of brawn at the holiday time, or a barrel of oysters, or something else that was good and valuable to make them welcome where they are, and the good family wanting something friand for a side dish, (not for the value of it, but to look pretty upon the table,) and being disappointed, might look cool upon them.

"In the next place, you have heard, probably, of the *billets de confiance*, which they coin at Birmingham for some bank at Paris. They are promises fairly printed in good copper, to deliver French money for a certain number of them on demand: the value of the copper is not equal to that of the money promised; but as it is not greatly inferior, it is preferred to paper.

"This indifferent representation of fuchsia, then, you may consider as a *billet de confiance*, which, when nature will permit the real Fuchsia to sit for her picture, will be exchanged, if you permit it, for a better.

"So much for counterfeits."

Again he writes to the same lady:—

"When will the unreadable letter get a reading? Heaven knows. If I was afraid to look at it at first, the two angelic ones that succeeded it have made me more and more so. Come—you shall understand exactly how it is with me. Did it never happen to you to find yourself half awake after a pleasing dream, still wrapped up in it, afraid above all things of losing it, keeping as still as a mouse, and staving off to the last moment the operation of turning on the other side, for fear of putting an end to it. Who would change a pleasing illusion for an unpleasant reality?—I would not, I am sure.

"Do you know why it was Jephthah sacrificed his daughter? Was it that he wanted to get rid of her? No such thing: there was not a better behaved young woman in the whole parish, and she was the only string he had to his bow. Why then? Because he had said

he would; and if he had not been as good as his word, he would have been accused of inconsistency, he thought, and want of perseverance, in all the Jerusalem newspapers. He wished his tongue had been cut out a thousand times over, rather than he had said any such thing: and yet you see, poor Miss Jephthah went to pot, notwithstanding. Had there been such a person as a Pope in the neighbourhood, he would have gone to his shop, and bought a dispensation: but Popes were not as yet invented in his days.

"Some historians tell a story of Curtius, that when he was got to the edge of the gulph, and saw how deep and black it looked, his heart misgave him, and he began casting about to find excuses to get out of the way of it. They had given him a wrong horse: if he jumped in with this it would break a set, he would just go to the stable and change him, and come back again; unfortunately some boys that were standing by, began to set up a hiss, so he set spurs to the poor beast, and in they went together.

"When Sir Thomas More was going to have his head chopt off, and bid Jack Ketch not meddle with his beard, as that had not committed any treason, do you think it was a matter of indifference to him whether his head was off or on? I question it. The case was, he had got a trick of talking in that manner: and it was as natural to him as to ask what o'clock it was, or to observe it was fine weather.

"I remember when I was a boy, and had occasion sometimes to pass through a churchyard of a night, I used to set up a singing: Was it from high spirits? The deuce a bit: on the contrary, my heart was going pit-a-pat all the while, and I fancied I saw a ghost perched upon every tombstone.

"When Miss F. takes upon her the part of the accusing angel, how happy would it be for me if my kind good friend Miss E., would take upon her that of the recording angel. I would not willingly put her to the expense of any of her precious tears on purpose; but if she has any that she does not know what to

do with, she cannot make a more charitable use of them than by dropping them upon some of the severest of Miss F.'s accusations, as she enters them; but, above all things, let her begin with the words:—'has succeeded here beyond expression,'* which are more cruel than a thousand accusations. How does my other patroness all this while, and where is she? On duty at the castle, I suppose: this is all the news I ask for.

"I hope there is a letter on the road for me—you need not be at the trouble of looking for any more excuses for delay. The budget is empty, for between us, they are all used.

"What made me write so foolishly? come—I'll tell you: for I have made my head to screw off and on, and I can set it on my knee, and open it, and see what is in the inside of it. It was a few grains of ill-humour mixed with a great many more of quill-driver's vanity. It sounded in my ears as if it ran well, and was sharply said: though at bottom it was nothing but a common schoolboy's sentiment in man's language. The turn of a sentence has decided the fate of many a friendship, and, for aught we know, of many a kingdom. Not that I need load quill-driving with it, for I believe there are few men, and as few women, to whom it has happened at some time or other when a speech has appeared to come *pat*, to out with it, though half-conscious, at the same time, it were better let alone."

Another letter has this passage:—

"Tell me, said I, nine days ago, either that I have not offended, or that I am forgiven. Ten days which have elapsed since, have lowered my pretensions. Tell me now, it would be a kindness done to me, that I *have* offended, and am *not* to be forgiven. Bid your maid or your man tell me so. Anything would be a favour in comparison of this inexplicable silence. For five minutes together I cannot fix my thoughts to any other subject. My business is retarded, my spirits sunk, and my health

hurt by it. The post, if I wait for it, reaches between one and two: if I go to meet it, as I have frequently, at about twelve, the hours that precede that time are wasted in anxiety, those which follow it in disappointment and despondence. There goes two, and there is an end of hope for the remainder of the day. The causes of your silence were not difficult to imagine. I left nothing to imagination. I begged for an immediate answer, in words which surely did not indicate unconcern. Ten days you will believe have hardly lessened it. Surely these were not the sentiments which commenced the correspondence—What, what is it I have done to alter them?

"I have a long letter from my brother, which, if it came from a person not related to me, you would find an interesting one. Your circle contains the only persons with whom I could trust it: no one else so much as knows of its existence. In the condition I am in I can neither send it you, nor, what is worse, answer it, though it requires an answer, and that a speedy one.

"If this is to continue how bitter will be the remembrance of former favour! The kinder your letter was, the less I can bear to look at it.

"If an advocate were needful, I should have hoped to have found one not far from you: but friends and advocates, I think, are all gone.

"My great employment has been hunting for grounds of self-accusation: no very pleasant one, while the bushes are beating, and still less where game has been found. Was it ever yours? I suppose not: may you never have the experience in it that I have!

"If I have offended has not my punishment been sufficient?"

The following letter is so characteristic of the writer, that I introduce it without naming the party to whom it was addressed, or the subject to which it refers:—

"When a man takes upon him to inform another, what were, or were not the feelings of that other, upon such or such an occasion, (a thing not often done.

* The words used in announcing to Bentham Romilly's arrival at Bowood, and the impression he had made.—(See p. 187.)

I believe,) and that with certainty, he runs no small risk of finding himself under a mistake. Such happens to have been your case, in yours of the 28th. It is truly painful for me to tell you so; but it is what you have forced me to do, or submit to a sort of dictation, the most extraordinary I have ever happened to meet with. Suffer *me*, then, to inform *you*, if you will allow me to know anything of my own thoughts,—that whatsoever happen to be my feelings or my opinions, it is my constant wish, and I believe my usual practice, to avoid introducing the expression of them where the subject does not call for them; but that whoever calls for them, and will have them, if he gets them at all, gets them as they are. Without making use of words so vague as ‘exceptionable’ or ‘improper,’ know then, that whatever my opinion was of the expressions in question, at the time of my receiving this last letter of yours, such it was precisely at the respective times of my writing those two notes: such, I do believe, it would equally be fifty years hence, to which time I would much rather have reserved the expression of it.

“When, with so much self-complacency, you express yourself altogether unconscious of anything in your manner of expressing yourself, but what is most unexceptionable, I do not perfectly understand what it is you mean: whether it is that matter of a nature at once invidious and irrelevant, introduced without provocation into the discussion of a law question among friends is noways exceptionable, or improper; or that no such matter has place in any of your letters. If the latter interpretation be the right one, the cause, I hope, is to be found in a want of recollection, to supply which, I will send you as a specimen one of two sheets of which your letter is composed; the whole of which appears to me to come within the meaning of those epithets, and such as consequently might have been saved in the lump, not only without injury to the business, but to very great advantage.

“That I take the liberty of thus giving an explanation, which seems rather

forbidden than called for by the expressions of soft complacency above noted, is owing to the unfeigned desire I entertain of seeing the renewal of an intercourse which I little apprehended would have suffered any such interruptions. If upon a review, such a style of address be judged altogether suitable to the person and the occasion, the consequence is, that in the intercourse with that person, the same style of address would be ordinarily observed. The consequence again would be a complete bar to all intercourse with him, but what was barely necessary. Certainly with respect to you, I will not take upon me to assume: but as to myself, I am certain of two things; one is, that I never experienced such a style of address *from*, the other is, that I never used it *to* any human being. Generosity would preserve me from using it to any one who was a dependant; the fear of ridicule, to any one who was not so.”

Considerable delay took place in the printing of the Panopticon, as ordered by the National Assembly, in consequence of which Bentham wrote to Brissot, on the 17th of February, 1792.

BENTHAM TO BRISSOT.

“You have no time for writing letters, my good friend—have you half a minute for reading them? The prayer of this humble petition is, that you would have the goodness to transport yourself to the committee-rooms—you know of what committee—and deposit upon the bureau thereof what is above, to the end that, if by God’s grace your decree of I don’t know how many months ago, for the printing of my long-ago-forgotten paper about the Panopticon, should by miracle get executed, the above supplement may be added to it, and the above corrections made in it. Should the printing be too far advanced for the MS. to be corrected, let the corrections be printed at the end. God prosper you, together with the state, of which you are one of the pillars! You are a pretty set of people! You will neither do anything yourselves, nor let anybody do anything for you. What a pretty

account you will have to render to your constituents at the end of your two years, of your Civil Code, your Code of Procedure, &c. You will tear off this English diatribe, unless you have a mind to see it printed as a second supplement."

Bentham's father died at Bath, on the evening of Wednesday, March 28, 1792. He was buried in the cathedral there,

and a marble slab records his name. He had been Clerk to the Scriveners' Company. His property was equitably and nearly equally divided between his sons.

Bentham, besides the estate of Queen Square Place, in Westminster, came into a freehold and leasehold property of from £500 to £600 a-year; a considerable part of which, consisting of farms in Essex, had descended from his grandfather.

CHAPTER XI.

1792—1795. Æt. 44—47.

Correspondence with Lord Lansdowne.—Made a Citizen of France.—Correspondence with Roland, Chauvelin, Delessert, &c.—Opinion of Speaker Abbott.—Notices of Contemporaries: Dr Lawrence, Bryant, Beckford, Baron Regenfeld, Bishop Barnard, Salisbury, Wickham, Young.—Death of the Duke de la Rochefoucauld.—Correspondence with Dumont, Sir G. Staunton, Law, Romilly, Anderson, Dundas.—The State of Europe.—Financial Projects.—William Pitt.

AT this period I find Lord Lansdowne writing to Bentham with great satisfaction, on the subject of a purchase he had lately made in Hampshire:—

"You that have wings to fly, and do not fly, to the greatest scene which can come within the human comprehension, deserve everything which you describe, and everything which can befall you. I never knew a sensible physician, who did not acknowledge, that change of air, scene, and exercise, was a certain remedy for every disorder of body and mind which was curable; but such a scene as this, must not only even at present, but for evermore, by furnishing the mind with such food for reflection, as must lift him one hundred feet above all other men. We, whose wings are clipped by a variety of relations in life, must content ourselves with such occupation as a cottage which I have just bought, between Christ Church and Lymington.

"I will certainly lay the books on the Table, as you recommend; but you must be conversable, as the persons I have to please are not easily imposed upon, and insist upon the truth. I write in great haste, but I am in great hopes of persuading you to secure a superiority under which I may be the first to feel."

And again—

"Our new acquisition in Hampshire has so completely captivated us, that we have nothing left to wish. Sea air, as pure as can be imported from America—for it completely looks down the Channel; thirty feet of gravel—the smoothest of all sands for miles—a mine of antediluvian shells to philosophize upon; Christ Church, &c. &c. This cottage is, therefore, quite at your service—but what is there here to keep pace with all we hear?—a *pavilion*; *wines innumerable*; *a table so plentiful, and yet so refined*; *such selection of company*; *the resistance of ladies overcome*; and the great point of a *precedent granted*.

"It would seem as if the ancient volupté of France was banished by the Republicans, and took up its seat at the side of the Bird-cage Walk, St James's Park. Allow old friends to congratulate you upon this new road for happiness; and be so good to tell your brother, whenever he wants to rest his appetites from such profusion, I hope that he knows where he will be extremely welcome.—Adieu."

BENTHAM TO LORD LANSDOWNE.

"1792, August 8.

"O the tyranny of aristocracy!—give it a furlong, and it will take a mile,—a

veto stopped me once from going to Brussels: and now comes a *Lettre de cachet* ordering me to Paris. The Belgic work was hot enough: my blood was to be reserved to dye the handkerchiefs of the Parisian amphitrites. See what comes of keeping bad company. It is an observation I have collected from high authority, nothing short of instantaneous obedience will satisfy *Kings and Monsters*. A conspiracy is formed against me between 'persons who are always in the right,' and the *ci-devant* servants of persons who can do no wrong:—but wherefore? why serve me like Uriah? I have no wife. No consideration for the shock which the loss would give to Mr Dundas, who, for this fortnight past has been waiting for 'an early day to solicit permission to see the Pavilion at the side* of St James's Park.'

"What is said about the Budding-Machine, I take to be a libellous method of accusing me of not accusing the reception of it—but did not I an age ago?

Those monsters, and an ex-Minister, jammed in a *soi-disant* cottage, and amongst all four 'nothing left to wish for'—a pretty story indeed! I would as soon believe the most miserable of all miserable cottagers had nothing left to wish for. *Pauvre miserable!* thou art not the only me-content, if thou art the only honest one!—as if, for example, a cottage as far from London as the old castle, could supersede the necessity of one at half-an-hours' distance, like the one at Streatham for example, or that at Hendon.

"A low **bow** for the antediluvian shells: but the gardener laid me in t'other day a stock of brooms, and while there is a 'single stick' left, there will be food enough for philosophy, which must forget itself strangely ere it can think of going to fish for antediluvian shells among sea-monsters. As to precedents, there need be no want of them—I speak of those in point, and unexceptionable

ones: the thing wanting is a disposition to make use of them. At present, the Pavilion is turned into an hospital for refugees—Vaughan consigns me a cargo on Saturday: I have obligations of the same sort to Dumont: and now, while I am writing, comes a note from Romilly, announcing similar ones for tomorrow; and what, after all, if I should have to house poor L. Rochefoucauld instead of his housing me? What a terrible thing is hunger! While the great Inn in Berkeley Square is shut up, it will send French dogs to eat dirty pudding at my poor ale-house. Be pleased to observe that action lies (ask Jekyll else) for shutting up the doors of houses of call when travellers are hard-pinched: and to take notice that, if they do not thrive with me, I shall put them on board a Hoy, and send them to Christ Church to fatten upon antediluvian shell-fish. In the meantime, as I have scarce French enough to cry, *kindly-welcome, gentlemen*, would not Mr Debary be prevailed on to lend me his little ragamuffin now and then, to serve as waiter and interpreter. If I had him here, with such another as himself, I could make them earn their living at one of the colonel's sawing-machines.

"As to ladies and offences—for the first moment, possibly, but for the second no living being, cat, dog, man, lady, monster, ever gave me offence that had not studied it."

On the 26th August, 1792, several distinguished foreigners were honoured with the title of Citizens of France, by the National Assembly. Among this number was Jeremy Bentham. The law is to this effect:—

"LAW CONFERRING ON SEVERAL FOREIGNERS
THE TITLE OF FRENCH CITIZEN.

"Of the 26th August, 1792,
fourth year of freedom.

"The National Assembly, considering that the men who, by their writings, and by their valour, have served the cause of liberty, and prepared the emancipation of nations, ought not to be regarded

*"A fac-simile—Was not there malice at the bottom of the original?—Did not the idea come from Derbyshire? This is *writing* libels—stopping at the end of the avenue, on pretence that the carriage could not come up, was *acting* one."

as foreigners, by a people rendered free by its knowledge and its courage :

“ Considering that, if five years of domicile in France suffice to give to a foreigner the title of French Citizen, that title is far more justly due to those who, whatever be the land they inhabit, have consecrated their arms and their cares to defend the cause of the people against the despotism of kings ; to banish prejudice from the world, and to extend the limits of human knowledge :

“ Considering that, if it be not permitted to hope that men will become, in the sight of law as in that of nature, one sole family—one sole association ; the friends of liberty—of universal fraternity, ought not to be the less dear to a people which has proclaimed its renunciation of all conquests, and its desire to fraternise with all nations :

“ Considering, in fine, that, at the moment when a National Convention is about to fix the destinies of France, and probably those of the human race, it belongs to a generous and free people to welcome all intelligence,—and to grant the right of access to this great work of reason,—to men rendered worthy of it by their sentiments, their writings, and their valour :

“ Declare, that the title of French Citizen is conferred on Doctor Joseph Priestley, on Thomas Payne, on Jeremy Bentham, on William Wilberforce, on Thomas Clarkson, on James Mackintosh, on David Williams, on Joseph Gorani, on Anacharsis Cloots, on Cornelius Pauw, on Joachim Henry Campe, on Henri Pestalozzi, on George Washington, on John Hamilton, on James Madisson, on F. G. Klopstock, and on Thaddeus Kosciusko.

“ On the same day, a member demands, that M. Gille, a German publicist, be comprised in the list of those on whom the Assembly confers the title of French Citizen. The demand is adopted.

“ In the name of the nation, the Provisional Executive Council orders and requires that all Executive Bodies and Tribunals cause these presents to be recorded on their registers, read, published, and placarded in their departments and seats of authority, and to be executed

as law. In testimony of which, we have signed these presents, and have affixed the seal of the state. In Paris, the 6th day of the month of September, 1792, in the fourth year of liberty.

(Signed) “ CLAVIÈRE.

(Countersigned) “ DANTON.

“ And sealed with the seal of the state.

“ Certified to be in conformity with the original.

“ DANTON.”

The seal represents Louis XVI. on his throne, the canopy supported by two angels standing. The motto is—“ Louis XVI., by the grace of God, and by the Constitutional law, King of the French.”

The letter to Bentham, from the Minister of the Interior, communicating the decree, is :—

(Translation.)

“ *Paris, 10th October, 1792,*

“ *first year of the French Republic.*

“ I have the honour, Sir, to send you herewith a document bearing the seal of the state, of the law of the 26th August last, which confers the title of French Citizen on several foreigners. You will read there that the nation has placed you among those friends of humanity and of society, upon whom she has conferred this distinction.

“ The National Assembly, by a decree of the 9th September, has charged the executive authority to communicate this law to you. I obey it, requesting you will be convinced of the satisfaction I feel of being, on this occasion, the minister of the nation, and of joining my individual sentiments to those which are testified to you by a great nation, in the enthusiasm of the first days of its freedom.

“ I pray you to acknowledge the receipt of this letter, in order that the nation may be assured that the law has reached, and that you equally recognise the French among your brethren.

“ The Minister of the Interior of the French Republic,

“ ROLAND.

“ *To Mr Jeremy Bentham,*
“ *London.*”

The French Ambassador in London conveyed the preceding documents, with this letter from himself:—

(Translation.)

*“London, 16th October, 1792.
“first year of the Republic.”*

“I have the honour, Sir, to transmit to you a letter which the Minister of the Interior has directed me to convey to you. The French nation, in inscribing your name in the list of those whom she calls to the full enjoyment of her new rights, has honoured herself as much as she honours you; and you will permit a fellow-citizen, who did not require this solemn declaration of the opinion of his country in order to esteem your virtue and applaud your merit, to felicitate you on the honour which has been done you.

“The Plenipotentiary Minister of the French Republic,

“F. CHAUVELIN.”

Bentham answered the communication of the French government in these terms:—

“JEREMY BENTHAM TO THE MINISTER OF
THE INTERIOR OF THE FRENCH REPUBLIC
—RESPECT,

“The letter of the 10th instant, by which you notify to me the honour done me by the last National Assembly, in placing me among the small number of foreigners upon whom it was pleased to confer the title of French Citizen, requires that I should acknowledge its reception, and declare whether I consider Frenchmen as among my brethren.

“To a question so marked by frankness, I must frankly reply. If, in recognising the duties attached to so honourable a distinction, I considered myself released from any of these I have contracted towards the country in which I was born, I should give but feeble evidence of my fidelity in the discharge of new engagements. Thus, if unfortunately I were forced to choose between incompatible obligations imposed by the two positions, my sad choice, I must own, must fall on the earlier and stronger claim. Happily, from the point of view whence I have

always rejoiced to regard this question—delicate as it is interesting—the incompatibility appears ideal,—purely ideal. It cannot exist in my eyes between the permanent interests of the two nations—whatever be the difference of their local position—whatever the diversity of their laws. And this conviction is no vain compliment to you: it is not the outbreak of a momentary enthusiasm, but the reasoned result of a bold and vigorous investigation.

“The different forms of the two governments present no obstacle to my thoughts. The general good is everywhere the true object of all political action,—of all law. The general will is everywhere, and for every one, the sole external index by which the conformity of the means to the end can be decided. Professions the most opposed are conciliated—nay, they are prescribed by the varieties of position. Passions and prejudices divide men: great principles unite them. Faithful to these—as true as they are simple—I should think myself a weak reasoner and a bad citizen, were I not, though a royalist in London, a republican in Paris. I should deem it a fair consequence of my being a royalist in London, that I should become a republican in Paris. Thus doing, I should alike respect the rights and follow the example of my sovereign, who while an Anglican in England, is a Presbyterian in Scotland, and a Lutheran in Hanover.

“Having given this explanation, I have only a word to add,—one word with reference to the question, whether I consider all Frenchmen as my brethren?—Indeed, I do: every Frenchman is a brother to me; when, indeed, was he otherwise?

“But if anything could weaken the enjoyment which the acquisition of so honourable a title brings with it—it would be the sight of so many unfortunate beings who have to deplore its loss. Because they have ill estimated the movement of the general will, they are crushed with all the weight of its indignation. The marked difference which separates their political opinions from mine, weakens in no respect the senti-

ments of sorrow which their position inspires. But it is in civil troubles that motives equally pure lead to conduct the most opposed. In my estimate, these victims are too few to be proscribed as a measure of precaution—but too many to be sacrificed as a measure of punishment. It was after having fought to the number of ten thousand that the insurgents of Chatillon were received with kisses of fraternity, and promises of amnesty from their generous conquerors. And these insurgents were the aggressors; but the poor refugees have only committed the offence of not emancipating themselves suddenly from the prejudices of ages—and their imperfections are but the consequence of mistakes as to the advent of an epoch they had not foreseen. If I am not deceived, it would be easy to draw up a declaration—even an oath—by which, without wounding their conscience or their weakness, the Republic might obtain every security in the nature of things obtainable. Such a motion, were I in a position to make it, would I be the first to propose. Even were I certain that there was not one among them that was not the irreconcilable enemy of the established order—not one who, if he dared, would not make me his first personal victim, I would not the less propose such a measure—not the less defend it. For every punishment that is not needed is really a lawless punishment; and in cases of civil war, the end is answered when the minority is subdued: and merely to prove that there is a desire to do mischief without proving the power of doing so, is to prove nothing to the purpose.”

M. Delessert writes to Bentham from Amsterdam, the 30th Nov. 1792:—

(Translation.)

M. DELESSERT TO BENTHAM.

“The Hollanders are much divided in opinion; but in the manner of exhibiting their opinions, they show the apathy and slowness of the national character. Much excitement is necessary for the smallest movement. It is not as in France, where a song can create a revolution. A Dutchman with his coffee without sugar, his pipe and his

Geneva, is happy as a Frenchman in his *Assemblée d'élection*. The people is surrounded by abundance, has no grievances, and should be disposed to remain neuter, and to allow the upper classes to settle all political squabbles. They are, however, generally disposed to support the prince. The stadtholder had managed to attach them to him during the last troubles, and has cultivated their affections. In some towns the contrary is the case. In Amsterdam, and almost everywhere else, the merchants are for the most part patriotic, and desire and hope for change.

“There are some discontented members in the Assemblies of the States; but the burgomasters and the other magistrates are all on the side of the prince. The officers of the military bodies entertain the same sentiments. As for the troops, they are mostly Germans, and know nothing but to obey.

“The heads of the patriots seek to agitate what the exiled are intriguing in France. The efforts of the one can only be successful by those of the other, and the French must aid them by efficacious coöperation. I do not know what are the dispositions of the French Government. Here an invasion is feared and expected. The decree which frees the navigation of the Scheldt and the entrance of vessels belonging to the Republic into that river, announces that they care not about conciliating Holland, and would willingly have a pretext for a quarrel. England might retain them; but her declaration to the States has produced little effect. It is thought too forbearing. An armament might have given some weight to it.

“If the French enter, there is little to oppose them. Everybody opines that the means of opposition are worthless. There is an army of 30,000 men to defend an extensive country and badly fortified holds. The troops are ill practised to resist warlike and triumphant soldiers. The fleet is decaying, and the help of England unavailing to stop an invasion by land. The inundation of the country may be had recourse to; but this is as detrimental to the inhabitants as it would be to foreigners.

Domestic dissensions would make it difficult of adoption, and the approach of the winter would render it impossible.

"And even though the French should invade the country, and change the government, and drive away its chief, they would not succeed in propagating their principles. The customs, or, if you will, the prejudices of the people, present the same obstacles which are found in Brabant. You know that the Belgians are divided, as of old, into Vonhists and Vandernootists. These last are supported by the aristocracy and the clergy, who are still very powerful. They are energetic, and desire the ancient government. They would be embarrassing to the French.

"It would seem as if the confederated powers had determined to carry on the next campaign with vigour. Mollendorf is mentioned as the general. The Empress of Russia guarantees his states to the King of Prussia, and promises her assistance in case of rebellion. He is causing all his troops to advance, while Austria brings her last resources into action.

"The French reckon on the bravery of their troops, encouraged by their success. Discipline and confidence are reëstablished in their army. They have a great advantage over their enemies. They have made a territory beyond their own the theatre of war.

"These preparations menace us with a long succession of calamities. War and intestine division threaten all the countries of Europe. England alone can establish peace. Her power, her wisdom, the neutrality which she has observed, designate her as the mediatrix. Even her interest calls on her to interfere. Liberty and licentiousness, which traverse Europe together, may trouble her repose.

"Spain and Holland are deeply interested in this pacification, and must seek to promote it. France herself must desire it—the victories exhaust her. In fine, she may wrong fortune, and ought to bear reverses.

"It is said that your ministry is busied with these negotiations. How glorious

would be their success for England!—how satisfactory for humanity!

"The resources of the imagination are exhausted to find excuses for the retreat of the Prussians. Not content with those which the faults of the campaign present,—they go so far as to believe that Dumouriez was able to turn to account the weakness of the King of Prussia, and his well-known foible for the *illuminati*. Odd stories are told of visions and apparitions which have appeared to him.

"Nobody knows what will be the fate of the emigrants who pass through this country by thousands on their way to England. The government will not allow them to remain, and has notified in the newspapers that they are not to consider themselves protected against pursuits or reclamations (*recherches ou reclames*.) Remembrances to Romilly and Trail."

In writing of Charles Abbott, afterwards Lord Colchester, Bentham says:—

"Not long after the publication of the 'Fragment,' a person, related to me by marriage, accosted me, and spoke to me nearly in these words:—'You are just able to keep body and soul together without practice; I am not: I must think of myself in the first place, I will think of the public in the next place.' In my remembrance the prophecy is still fresh: I should not expect the like in his. The word was not a hasty one: he has kept to it: how well, let the Finance Reports of 1787 and 1788 declare. To form anything like an adequate conception of the merit of that work, those which have succeeded under the same title should be compared with it. Further than he went towards reform, the system would not have permitted him to go, or it would not have permitted any one to go: the wonder was, how he could go so far, and be afterwards what he was. Under Pitt's administration it was barely possible: what would it have been under such as we have had since? Farther than he went few but himself would have been inclined to go, few besides Pitt would have permitted him to go: he went as far as

he could, and in no small degree further than many a learned and eminent person wished."

Of men more or less known to public fame, and who at this period were among the acquaintances of Bentham, I have gathered the following sketches, which fell from him spontaneously when allusion was made to them:—

"I remember Dr Lawrence—a man of harsh physiognomy: there was a roughness in his *tout ensemble*. We met at Phil. Metcalf's. There was a silk gownsman who had never any business, but who went by the name of Omniscient Jackson. I gave the title to Macculloch (Dr), who was all omniscience, and *preterea nihil*.

"Bryant* was an acquaintance of mine. If he found in Judea a man whose name began with *Col*, he would swear he was the builder of Colchester.

"I remember hearing a trait of young Beckford's profusion. When about to sleep at an inn, he ordered it to be papered for him, at an expense of £10, like Wolsey, who travelled with a set of gold hangings.

"Dr W. Hunter was the Garrick of lecturers."

Dr Swediaur brought Bentham and Baron Regensfeld together. "Regensfeld was the eternal Secretary of the Austrian Legation. He spoke English so well that he might be mistaken for an Englishman, and he got an illegitimate son of his into the English navy.

"Through Regensfeld I got acquainted with the Tokay, which grew on his estate. He said he had still a finer wine, which he called the Essence of Tokay, and which could not come hither, the place of its production being so far inland. In my eagerness for exterior information, how glad I was to lay hold of Regensfeld,—and indeed of anybody coming from that large place called *abroad*.

"Bishop Barnard was an unbeliever. I met him at Owen Cambridge's, who had a house of which he was very proud,

near Pope's, at Twickenham. The bishop was much among the aristocracy,—a man of the world, and a clever man. At the same party was Baron Nagel, from whom I learnt the word *Bywerk*, (bywork,) a word we want for a picture. I made a little *quizzacious* attack upon the bishop, which he took very well,—no offence in the slightest degree.

"Salisbury† is now compelled to write for the papers. He ruined himself by gossiping,—holding people by the button, and wasting his time.

"Wickham was afterwards Under Secretary of State, and Honourable. He and Charles Abbott had a project to make me fall in love with his sister. I went there once; and after dinner an appearance of business left me alone with his wife and daughter. The net was spread, but the fish was not caught.

"Arthur Young owned a landed estate of the value of from £300 to £400 a-year. He is preserved from oblivion by various works, the usefulness of which has not been obliterated by the hand of time. He held a situation of no inconsiderable altitude in the good opinion of George the Third. He was the editor of the 'Annals of Agriculture,' and among his correspondents, if what I have heard say be true, was the monarch, who borrowed, for that purpose, the name of Robinson. In the Number for January 1, 1787, there is a letter on 'Duckett's Husbandry,' entitled 'by Mr Ralph Robinson of Windsor,' (p. 65-71;) there is another, dated March 4, 1787, (p. 332-6.) These were among his amusements:

Atque utinam his nugis potius tota illa dedisset,
Tempora sævitæ, claras quibus abstulit urbi
Illustresque animas impune, et vindice nullo.
Juvenal, Sat. iv. 152-4.

Another amusement was architecture,—to which Kew bears witness.

M. de Liancourt thus speaks of the murder of the Duke de la Rochefoucauld, in a note of October 10th, 1792:—

(Translation.)

"The horrible news which I have

* Jacob Bryant, the author of "Analysis of Ancient Mythology," &c.

† Richard Anthony Salisbury, author of the "Icones Stirpium Rariorum."

just heard of the assassination of M. de la Rochefoucauld,* my cousin, and my friend—the worthiest and the most respectable of men—the most faithful friend of justice, and the public weal—has so overwhelmed me with affliction, that I cannot come to you—cannot enjoy the pleasure I had reckoned on.”

And in a letter dated 23d October, 1792, Dumont writes:—

DUMONT TO BENTHAM.

(Translation.)

“I have employed several days in reading your MSS., (on the Penal Code,) and especially the Table. Though I had the highest opinion of the work, it surpasses all my expectations. It will annihilate all that has been before written on these subjects. I shall have to ask many explanations from you, but I shall not weary you till my return from the country. Till then, I shall work out detached parts, and I have already commenced operations. As there is a regular plan in the whole, there is no inconvenience in translating separate portions. I thank you again for this work, which drags me forth from my inertness, and saves me from the torments of *ennui*.”

“I have seen M. de Narbonne, who arrived yesterday, saved by miracle. What has been reported respecting the death of M. de la Rochefoucauld, is happily false—but it is very true that Clermont Tonnère has been killed. One shudders at the details of the cruelties of the people. La Fayette is accused. He will not recognise the new government. The deputies who were proceeding to his army, have been imprisoned at Sedan, Kersaint among the number.”

On the 4th October, Gallois writes to Bentham:—

“I pray Mr Bentham that he will allow M. de Talleyrand and me, to present to him, with M. de Montmorency, M. de Beaumetz, who has the strongest desire to make Mr Bentham’s acquaintance—for he has learnt to study and to value his works, from having been a

member of the Legislative Committee of the Constituent Assembly.”

A letter from Sir George Staunton, dated Madeira, October 15, 1792, has this passage:—

“I understand this island is increasing in population, and decreasing in religious fervour. Very few friars have been made for some time, and not a nun these twenty years. None can be professed without a permission from the court of Lisbon; but if the zeal had been very strong, the license would probably have been obtained from so bigoted a princess as the Queen of Portugal. She gave much more latitude to the Inquisition than the Marquis of Pombal had allowed in the reign of her predecessor, and a persecution was commenced against Freemasonry; but there being a great number of persons of that confraternity among the principal natives of this island, a strong remonstrance was sent to Lisbon, and, probably through the influence of the Chevalier de Pinto, an edict has been published restricting the imprisonment in the Inquisition to two months, and forbidding any punishment without the previous approbation of the sentence by one of the Secretaries of State. This check has stopped the career of the Inquisition; and the Freemasons can drink three times three, without the danger of any other death than that of drunkenness.”

Of date the 3d November, there is the following from—

BEAUMETZ TO BENTHAM.

(Translation.)

“I am going, my dear fellow-citizen, to try to establish at Paris the difference which exists between the character of a travelling citizen, and that of an emigrant which I detest, and which I cannot consent to accept even from an unjust law—some persons assure me I shall be hanged as a form of explanation—others tell me the contrary. I am going to see how matters are. I regret quitting England, and particularly regret the loss of that intercourse which you had promised me, and for which I had prepared myself by the study of your writings. I

* This occurred on 14th September. Dumont had (see below) been misinformed.

assure you it is a real pain—a pain of the heart, to leave a country where I have met with so much goodness, and where I have found nothing but what attached me to it. Nobody treated me better than you,—and there was nobody I desired to see so much as you,—and there is nobody I quit with so much regret as you—while, in my project of another visit to England you are reckoned for much. Assure me, then, that my presence will not be unwelcome. And accept the assurance of all the sentiments with which you have inspired me, and which I devote to you with all the frankness of a good republican.”

On the 5th November, Romilly says:

“Chapelier, Beaumetz, and Montmorency all set out yesterday for Paris, thinking it better to expose their lives to Marat, and Marat’s friends, than to incur perpetual banishment and confiscation of their property.”

Benjamin Vaughan writes this lively note on the 8th November:—

“The English citizen V. to the French citizen B.; *alias*, the city mouse to the court mouse.

“You and your company are certainly more of a treat than your good dinners, (though so very good.) But till Mr M. comes to town, I am obliged to keep an eye to our kittens in —; who are always frolicking when the mouse is absent: consequently, it is more convenient to me to see you, than to be seen by you. Name your day, with your brother and Cⁿ. R^y, (omitting Sunday, Monday, and Tuesday,) and give me the earliest notice.

“My young architect is named Alexander: his residence, Weston Street, Tooley Street. I know not who is the mayor, or who the committee, at Rochester; but any navy or Kent people will inform you. The bridge is not to be rebuilt, but only widened, and perhaps the two middle arches thrown into one.

“I shall leave to the other citizen *Russe*, to go to Portsmouth, and bring back knowledge, on condition that he tells it all when he returns. The papers on this subject will be returned to-morrow.

‘Vale et me ama.’”

In a note of Dumont, (23d November,) he concludes thus:—

“Adieu! I quit Bentham for Bentham, and am occupied this morning with a chapter that enchants me.”

The intercourse between Bentham and Mr Law,* had its origin in the correspondence which follows:—

BENTHAM TO MR LAW.

“Q. S. P., January, 1793.

“SIR,—I have just heard from my friend Mr Wilson, of Lincoln’s Inn, that, on his meeting you at your brother’s, you were pleased to express an inclination to become acquainted with the author of the *Defence of Usury*. The author of the speculative *Defence of Usury*, has an unfeigned ambition to become acquainted with the author of the practical and practised *Mocurrery* system. With these dispositions, third persons and formal introductions seem superfluous. In the morning, I never see anybody, whom I can possibly help seeing;—but everybody must dine. If you will favour me with your company to dinner on Monday or Tuesday, I will take care there shall be nobody else—perhaps not even my brother, whom, at another time, I flatter myself you would not be displeased to know; or, if it be more agreeable to you, I will accept of a *tête à tête* dinner from you with equal pleasure. When two people are together, they have their own talk; but when they are to have a third, they don’t know what talk they are to have. I mention those two early days, for afterwards it is very uncertain what command I shall have of my time. My usual hour is five, but any other is equally convenient to me. If neither of those days should suit you, I dine at home to-day; my brother has a mechanical man to dine with him, but he can dispose of him as he pleases, and we should form

* Thomas Law, brother to Edward, afterwards Lord Ellenborough. He had been a member of the Council of Revenue in Fort-William, and published, in 1792, “A Sketch of some late arrangements, with a View of the rising Resources in Bengal.”

two distinct parties, which would be but little in one another's way.—I am, Sir, &c."

MR LAW TO BENTHAM.

"*Weymouth Street, January, 1793.*

"DEAR SIR,—For so I must address you, after your most liberal letter,—I will wait upon you to-morrow at half-past four, that I may not suffer anxiety, for I feel a woman's eagerness to meet a gentleman of such an enlightened mind. I send you Adam Smith, 3d vol., with some notes that may convey an idea of a—Yours most faithfully."

Bentham consulted Romilly on the publication of his pamphlet, *Truth v. Ashhurst*. Romilly's opinion is conveyed in these words:—

"*Lincoln's Inn, January, 1793.*

"DEAR BENTHAM,—I have got your manuscript copied, but I have not sent it you, because I wish to make two or three extracts from it; and I have been so much taken up with other business, that I have not had time to do it. I have had leisure, however, to read it again, and to form a decided opinion, that the publication of it is not likely to do good, and may do harm. The praise given to the French would, I have no doubt, throw discredit on all the truths it contains. If, however, you disregard my opinion, and resolve to publish it, I will return it you immediately. If you can lend me the proceedings of the Irish Catholics, I will be much obliged to you for it."

The pamphlet is dated December 17, 1792. Romilly's judgment decided the non-publication at the period when that judgment was given, and the pamphlet first saw the light in 1823.* The reference to the French is so slight, as scarcely to give a colouring to Romilly's reasoning; but the attacks on English judges and English judicature, made no doubt the printing of such a work, in no small degree, perilous to the author.

* See Works, vol. v., p. 233.

Replying to a very cold, touchy, and reproachful letter of Dr Anderson's, in which he accuses Bentham of conduct both unfriendly and ungentlemanly, on the ground of his having communicated to Dr. A.'s son, some particulars of a lawsuit, with which Bentham had no reason to suppose him unacquainted, Bentham uses this language:—

BENTHAM TO DR ANDERSON.

"When your imagination painted your old friend in such terrible colours, you had forgot two things: one is, that no man, who was born white, becomes coal-black all of a sudden; the other is, that no man does mischief without a motive.

"What motive had I to do you mischief? What provocation had you given me? You have now given me provocation, and I have not the smallest particle of desire to do you mischief more than I had before; the regret of having been the unintentional cause of uneasiness to you, is the only sentiment that dwells with me. It so happens, too, that my brother, whose opinions of you, and dispositions towards you, were never other than friendly, saw my letter before it went. He happened to be sitting by me while I was writing it; I handed it to him, and he returned it to me without a comment. Forgive me, forgive yourself, and believe me now as ever, your faithful friend.

"P.S.—I send this letter open through your son; if he does what I should do in his place, it may save both of you a tedious and useless correspondence; if he think it worth his while to wish for further explanations, he can get them through me with infinitely less trouble than from you. I am sure it will be more pleasing to him to see you in good humour than in bad, and, therefore, I shall not show him your letter unless he and you both insist upon it."

The letter, however, had not its intended effect—. The reply is endorsed by Bentham "Implacable;" and I believe correspondence thereupon ceased.

A letter to Mr Law of February 2,

1793, and his reply, are characteristic of both :—

BENTHAM TO THOMAS LAW.

“*Queen’s Square Place.*

“DEAR SIR,—If you have any curiosity to see a native of Siberia, not of Russian, but of the aboriginal Siberian race, such a personage will dine with me, in company with the chaplain to the Russian embassy, on Wednesday. At the same time and place will appear Mr Wilson, in some measure for the sake of staring at the Siberian, but much more for the sake of admiring Mr Law, in hopes of his being attracted hither partly by the sort of bait above-mentioned, partly by the opportunity of settling with the said Mr Wilson the proposed meeting in Weymouth Street. At the same time, you would see two or three other friends of Mr Wilson’s and mine, who are ambitious of making your acquaintance, and whose acquaintance, a man of your views and feelings cannot but be glad to make.

“The precipitation with which you terminated your too short visit, left me no time to think of two requests I had to make to you—the one that you would have the goodness to keep in store for me the memorandums I understood you had made, relative to the subject of my Defence of Usury; the other, that if your partiality for my productions should lead you through what I have written on the Judicial Establishment, you would do it pen in hand, and allow me the opportunity of profiting by any remarks it might suggest to you.”

THOMAS LAW TO BENTHAM.

“*Weymouth Street,
February 4, 1793.*

“DEAR SIR,—Your polite note is so full of kindnesses, that I know not which most to thank you for. That of your promise to fix a day to favour me with your company, and to prevail on Mr Wilson to come also, I prefer. Your brother, the colonel, was enjoying practical gratifications, whilst we were indulging in speculative ones. He was even with us. I am obliged by his

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card, and am desirous of having the honour of his acquaintance. Alas! I am obliged to go for a few days to Ireland, and to set off on Tuesday next, my brother having particularly desired me to see him in Dublin. Your pamphlet on the Judiciary Establishment is gone to be bound, and it will receive my greatest attention, for, in Asia, courts are much wanted, and good laws. I was reading it, when Colonel Bentham was amusing himself with the *Essay on Woman*. His Panopticon would, methinks, be a good building for a jealous man. The genuine native of Siberia I should behold with eagerness as a *rare animal*, but mere curiosities, in general, have very little attraction. *Cui bono* is my question. Your brother is pleased with *novelties*. Immediately upon my return, I shall claim your promise, and hope that your brother will accompany you.—I remain,” &c.

A Frenchman, named Duquesneau, a shoemaker by trade, had married a servant of Bentham’s. On the 3d February, 1793, a king’s order was issued, banishing the said Duquesneau, and directing him to leave the nation within three days. Bentham took him into his house. The man was supposed, but without any the slightest grounds, to be connected with the republican party in France. Bentham was at this time engaged in his Panopticon negotiations, and was assuredly not likely to obtain favour by interfering on behalf of this poor foreigner. I find in Bentham’s handwriting the following endorsement on the king’s warrant :—

“King’s Order of Banishment to Duquesneau, under the Alien Act,—acting functionary Huskisson, afterwards cabinet minister. The order being groundless, J. B., Q. S. P. [Jeremy Bentham, Queen Square Place] attended at the Alien Office to prove it so to be. Huskisson was haughty and unreasonable, but yielded, though with a bad grace.”

The royal thunder, directed against Monsieur Duquesneau, the shoemaker, was thus spent in vain. This letter of Bentham to Henry Dundas explains the case :—

BENTHAM TO MR DUNDAS.

*"Queen Square Place,
4th February, 1793.*

"SIR,—Marie Duquesneau, a French-woman, who, for about a fortnight or three weeks, has lived with me in the capacity of cook, has just brought me an order, signed by his Majesty, and countersigned by Mr Dundas, directed to a person by the name Monsieur Duquesneau, who, she says, is her husband, enjoining him, in pursuance of the late act, to quit the realm on or before the 6th instant, which is the day after tomorrow. She appeared to me in great affliction, saying that her husband had lived in this country these ten years, and prefers it to his own; that he is a journeyman shoemaker by trade, and can have a very good character from the master for whom he has worked for these last four or five years. Upon my questioning her whether her husband may not have been meddling with politics, and whether that may not have been the occasion of his receiving such an order, she assured me to the contrary with great earnestness, saying that he is altogether at a loss to conceive how government should be so much as apprised of his existence, unless it be by means of a man who obtained £50 of him, on pretence of taking him into partnership, and who, he apprehends, may have taken advantage of the late act, in the view of getting rid of him and his demand. Certain that nothing can be more foreign to your intentions than to convert an instrument of public security into an engine of private injustice and oppression, I take the liberty of conveying to your notice the statement which has been made to me. My intention is to give him the offer of living at my house, as above, from the day in which the order begins to be in force—viz. Wednesday—to the end that if he really be a dangerous person, the officers of government may know where to meet with him, and if not, that he may not be in the power of his adversary to get him sent away, or committed without the knowledge of his friends; and if not, that he may find protection with me, against any project

for hurrying him, or getting him even thrown into jail, without the knowledge of his friends.

"P.S. The person suspected to have been the author of the information is one Frederick Grote, a German, a jeweller, whose promissory note to Duquesneau, dated 11th January, 1792, for £37, 1s. 6d., I have now before me. The ground of suspicion is, that upon some words happening lately between them on account of the non-payment of the money, Grote said to Duquesneau, he *would take care and do for him*.

"The person for whom Duquesneau works, is a Mr John ———, a master shoemaker, No. 44, Castle Street, Oxford Market, whose certificate in his favour lies before me."

I give a copy of this royal order, as a sample of the manner in which foreigners might be sent out of the country without reason given:—

"GEORGE R.

"Our royal will and pleasure is, that you, Monsieur Duquesneau, [the name is misspelt,] not being a natural born subject of this realm, nor having received letters-patent of denization from us, or any of our royal predecessors, nor having been naturalized by act of Parliament, do, on or before the sixth day of this instant February, depart this realm, and you, the said Monsieur Duquesneau, are hereby commanded to depart this realm accordingly.

"Given at our court of St James's, the third day of February, 1793, in the thirty-third year of our reign.

"By his Majesty's command.

"HENRY DUNDAS."

The Bishop of Killala and Achonry (Law) was the instrument of publishing Bentham's book on Law Taxes in Ireland. His brother (Thomas) writes—

THOMAS LAW TO BENTHAM.

"Weymouth Street, April, 1793.

"DEAR SIR,—May the publication have all the good effects you wish it—the benevolence and truth of your arguments ought to influence Ministers, but

alterations are not easily caused. My India views are now the objects of delight to the mighty Dundas—he has been very candid and liberal—he acknowledges that he was not aware of the extent of the trade from Bengal carried on clandestinely—in short, Monopoly is giving way, and my *rising resources* are admitted. I expect 20,000 tons of sugar next year. How many manufacturers, merchants, seamen, ship-builders, and agents will be employed by these means! How India and Great Britain will be enriched!”

Again—

“*Weymouth Street, 1st April, 1793.*

“DEAR SIR,—I am just favoured with your letter, and shall be most happy to read your publication. The Protestants in Ireland are most enraged at this Government for making them be just to the Roman Catholics. I am preparing a speech for Wednesday—this is the beginning. If you tell me it is nonsense I will burn it. We feel philanthropy, but have many obstacles to oppose. At what hour in the morning shall I wait upon you?

“P.S.—I send you this immediately, that, if you please, you may invite him for to-morrow morning, and come to give instructions. Dumont dines here to-morrow. He wants your papers to resume his labours.”

Bentham writes thus gaily to his brother on the subject of Panopticon in May, 1793:—

BENTHAM TO HIS BROTHER.

“You must not stay lounging there beyond this week. Next week Pitt and Dundas are to come to see Panopticon together: and nobody can say how soon in the week; for the whole-school-days end this week, and though they don't break up yet awhile, the next week and so on, will consist chiefly of half-holidays. If you don't come in time to make the Raree-show, I must turn you off, and take the juggumbobs into my own hands. My fainting fits, at the thoughts of losing the dear body, are cured. I am as-

sured distinctly that Panopticon would not be at all affected by it; but what is better, there is no danger of having anybody else to deal with; their myrmidons give out by authority that Dundas's exit is no nearer than it was when he came in; and that Pitt himself knows no more who is to be the successor than the Pope of Rome. They professedly keep the seals dangling in the air to catch renegades: if they would lend them me awhile, I would set them a-dancing at the end of a fishing-rod before the bed-chamber window at a certain house.—Pounce would go the glass, as if the *citoyen* had been dashing at a mouse. Various of Pitt's friends, yea, manifold, I am told, have been at him with mallets, beating Panopticon into his head: your duke, I suppose, mediately, if not immediately, of the number. Nobody can be better known anywhere, I am positively assured, than your humble servant is, and always has been, in the cabinet,—sins and blasphemies of all sorts, of course, included: so much the better, as they don't seem to stand in the way of his salvation. What my enemies, if I have any, say of me, I am not told; but the account my friends give of me is, that I am *mad*; for which I make them a low bow; for *madness*, forsooth, being interpreted, means *virtue*: this last offer seems to be regarded as an egregious instance. Chuckle-heads, who have been used all their lives long to see chess, and battledore, and shuttlecock played at for nothing,—can't bring themselves to conceive that anybody in his senses should be able to find amusement in a game that anybody has ever been paid for playing at. The offer, such as it is, seems to have come seasonably enough, and not to be in any great danger of being rejected. The deficiency seems to have been very generally felt, and openly enough recognised; and it was observed, that if nothing be gained, nothing can be lost by the experiment.”

The obscure, and sometimes contradictory phraseology,—the redundancy of words,—the awkwardness and frequent inversion of style,—and the various other imperfections of language which

characterize our acts of parliament, were evils to which Bentham frequently sought to provide a remedy. A letter of his to Dundas on this important matter ought to be preserved.

BENTHAM TO MR DUNDAS.

" May 20, 1793.

" SIR,—Taking up in the country the newspaper of Saturday, I see the public service threatened with a resignation, which has but too strong an appearance of being a speedy one. Fortunate as I had thought myself in the notice with which I understood my Panopticon proposal to have been honoured, permit me to express the anxiety I cannot but feel at the apprehension of seeing it turned over into *any* other hands. The intimation I received some time ago, *that a determination had been made in its favour between you and Mr Pitt*,—that the discussion of it with me, only waited for the first vacant day that could be found for it, and that the whole day (convivial hours included) would be bestowed upon it, will, I hope, be considered a sort of engagement to save me from the misfortune of so undesirable a change. Had that expectation been realized at an earlier period, I had thought of profiting by it, to speak of another object of my ambition, which, as it is, I must take the liberty of stating to you in the compass of a letter, and therefore, narrowly and imperfectly, lest the mention of it should come too late.

" Meaning to get good payment for making others work, there is a line in which it would be matter of amusement to me to work hard in my own person, and that for nothing. The tender of my humble services in that line may be considered as a tribute of acknowledgment, or the employment as an object of solicitation, as you please.

" The *penmanship of the statutes*, I have observed, has, every now and then, become the subject of a dissatisfaction, which has been repeatedly and publicly expressed. With what degree of justice, is a question I never thought of proposing to myself with reference to the present or

any other *particular* conjuncture. My inclinations on that head bear no reference to conjunctures. Between twenty and thirty years have passed over my head since the notion came across me, that the business of that department did not stand, in general, upon so good a footing as it might, nor, as I flattered myself, it might one day be in my power to place it on, were it to be intrusted to my charge. This, if a presumptuous, was no idle thought; for how little soever may have been done by nature, I question whether there be that man living in whom zeal and industry have been more assiduous in that line. The business of tracing out the several circumstances and contingencies for which provision may require to be made in the tenor of a law, is a business I have been so long used to travel over for my amusement, and that in almost every direction, that the operations of it are become rather a mechanical process than a matter of study; so that, though in any instance I should have the misfortune to find myself differ in opinion from those under whose authority I had to act, I should still have the satisfaction of doing so much for their accommodation as to furnish them with as ample a stock of considerations in the way of precaution, and objection, and defence, as they would have curiosity to see, or pastime to attend to. The business, too, of weighing words and syllables, is a business which has occupied as much attention on my part, as it can have occupied on the part of the most experienced chancery draughtsman, or special pleader.

" Something in the way of legislation may be deemed wanting for *Hindustan*. Divested of all local prejudices, but not the less sensible of their force, and of the necessity of respecting them, I could, with the same facility, turn my hand to the concerns of that distant country, as to those of the parish in which I live.

" The books which I take the liberty of sending you as specimens, in addition to what you have already, you certainly will not read; but should it be thought worth while to dip into them, with this particular view, they will lie in readiness for the purpose. That on the

Judicial Establishment—that on *Parliamentary Tactics*—that on the *Emancipation of French Colonies*—and the just printed one on *Law Taxes*, remain, for different reasons, as yet unpublished. Some of them might lead you to take me for a Republican—if I were, I would not dissemble it: the fact is, that I am writing against even *Parliamentary Reform*, and that without any change of sentiment. To make the trial of my services with the least risk, and to the greatest advantage, the following is the course I would take the liberty to suggest.—Let a business of any kind, with such instructions as were thought necessary, be put into my hands;—let the same business, with the same instructions, be put into the hands of any other person. Each having drawn his bill, let the other be called to give his observations on it; but that my comment might be the freer, my wish would be, that the person whose composition was the object of it, might remain unknown to me. In this way, a very instructive experiment, might, I conceive, be made, and that without any *éclat*; there would be no *placing* nor *displacing*; whoever is in possession of the emolument, might continue so, and while that remained entire, any part of the duty would be the less missed.

“Indeed, this is the only footing on which I could think of offering my services; for it is accuracy only, and not expedition, that I could undertake for; the obligation of getting a given business despatched by a given time, would, for some time at least, if not for ever, be too much for me. My success in this line, should I be thought to have met with any, will have been the result—not of any incommunicable talent, but of a method which I should have little doubt of being able to transmit to any young man of tolerable abilities, who would find adequate inducements for giving himself the trouble of obtaining it. When I had brought the matter to this point, my object would have been accomplished. My reward would be, the satisfaction of having made improvements take root in so important a branch of science; that reward being already reaped and gone, then would be the time for the ordinary

emolument, the salary, whatever it be, to revive for the benefit of my successors. Pupils are not wanting to the Conveyancer, to the Special Pleader, or to the Chancery Draughtsman; instruction in the superior line of parliamentary penmanship, would, I presume, be still less in danger of going a-begging, if suitable encouragement were to be annexed to it. The £600 a-year which I have heard spoken of as the salary, I must confess, I do not look upon as anything like adequate, so long as salary is thought fit to be annexed to office. The situation ought to be, not a step *to*, but a step *above*, professional practice. Superior talent ought not to be liable to be called from so superior a public duty to the petty concerns of private clients. *Responsibility*, and on that account, *official title*, and high *dignity*, with a salary proportioned to the dignity, ought to accompany a function of so much real importance. Having divested myself of all interest, I speak without bias on the head of emolument, and, therefore, with the less reserve. I hope I speak clearly enough on that head not to be mistaken. What I do solicit, is the labour; what I could not so much as accept, were it ever so much pressed upon me, is the emolument or any part of it. I could easily show you that the disclaimer is a necessary one, and not chargeable with either affectation or even oddity; but I have already attempted but too much upon your time.—I have the honour to be, &c.”

On 4th June, there is the following, from

BENJAMIN VAUGHAN TO BENTHAM.

“Will you forgive me?—Wilberforce came to me yesterday, to give me nearly *carté blanche* over a slave-bill, and then dined with me, and carried me to the House for that and Lambton’s motion; but neither having place, I went back to read my packet letters, and superintend insurances to many thousand pounds amount. I could say much more; but come on Saturday se’ennight, and I will introduce you and your brother to M. de Narbonne. The Bishop of Autun

also dines with me, with Grey, and perhaps Sheridan.—Yours affectionately.

“All well at Paris, 27th May, and plenty of corn in France.”

Bentham had his hopes excited almost as often as they were depressed, by the vicissitudes to which his Panopticon scheme was exposed. In a letter of August 1793, he writes :—

“I have just seen Nepean. The Ministry are afraid to act under the Penitentiary act, but will bring in a bill to get me Battersea Rise next session ; and, in the meantime, recommend it to me, to try what I can do, under these circumstances, towards getting it immediately by consent of the proprietors. I am this instant sitting down to try my eloquence upon them.”

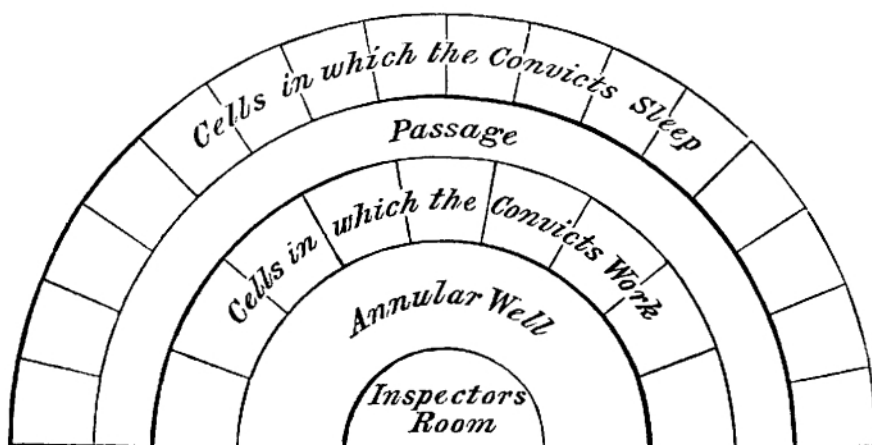
Romilly gives the following account of the Bridewell, or House of Correction at Edinburgh :—

ROMILLY TO BENTHAM.

“Edinburgh, 2d September, 1793.

“DEAR BENTHAM,—Much as I detest writing letters, especially in a place where I have so many different ways of passing my time as I have here, I should reproach myself if I were not to give you some account of a Panopticon which is building in this city. As I have never heard you mention it, I think it is possible that you may be entirely unacquainted with it. It is built entirely of stone,

and though it was begun only a year ago, the shell of it is nearly finished. The plan is Adam's ; and I am informed that he admits that he took the idea of it from your brother. It is a semi-circular building, and differs from your plan very materially in this respect, that the cells in which the convicts are to work, are not placed at the outer extremity of the building, but look upon the annular well, in the centre of which the Inspector's room is placed. At the outer extremity are cells, in which the convicts are to sleep, and in which they are to be in solitary confinement ; and between the two ranges of cells there is a passage into which the doors of both cells open ; but as these doors are not facing each other, there is no thorough light, as in your design, nor the same free circulation of air. The whole side of the working cells, which lies towards the Inspector's room, is open, and to be grated with iron ; and the Inspector has no means of seeing into the cells but from the light of the annular well, which, the workmen told me, was to be covered with a glass skylight. There are four stories of cells, and only two Inspectors' rooms, which being placed each between two stories, as in your plan, have a perfect view into every part of all the working cells. I am afraid you will so little be able to understand my description, that I must endeavour to draw some kind of plan for you :—



Governor's
House

"I think the want of air seems to be one great objection to this plan; and another is, that the convicts, in the cells where they sleep, are not exposed to any inspection; it may not be very difficult for them to make their escape, especially as these cells are at the outermost part of the building. It is true that seems to have been provided against by pretty strong walls; but Mr Blackburne, who had a great deal of experience on this subject, had, I remember, very little confidence in the thickness of walls. It is true that both the objections I have mentioned are in some degree weakened by the situation of the building, which stands on the side of Calton Hill, between the new and old towns, and under the immediate view of a great neighbourhood; and there is always not only a free circulation of air, but wind.

"I am passing my time here very pleasantly, principally however in a society which you would not at all relish—lawyers. Indeed, I doubt whether this would be a very safe country just at this moment for you to be found in, for I heard the judges of the judiciary court, the other day, declare with great solemnity, upon the trial of Mr Muir, that to say the courts of justice needed reform was seditious—highly criminal,—and betrayed a most hostile disposition towards the constitution, of which the courts of justice form a most important part."

To Philip Metcalf,* Bentham gives this very cheering account of his ministerial negotiations:—

BENTHAM TO PHILIP METCALF.

"Hendon, Middlesex,
"October 31, 1793.

"DEAR PHIL,—Many thanks for your kind remembrance and attentive zeal. I have but just received your favour of 29th here, and have already written to Sir Charles, tendering my services, but recommending as *amicus curiæ*, the waiting to see the experiment tried on the great scale.

* Bentham said, that Metcalf told him that the profit of distillation was only in the distilling duties—in other words, cheating.

"I am at present occupied in drawing a bill, at the recommendation of authority, for Mr Pitt to bring in upon the opening of the session. Lord Spencer and I parted, as we met, good friends; but nothing was to be done with him. He said, what parliament enacted, he must submit to; but it would be a prejudice to him, as it might throw a damp on his plan of letting land in the neighbourhood on building leases,—under which circumstance, it was not his business to volunteer (as he called it) a concurrence, and that it would be deserving ill of the neighbourhood, by whom his father had been blamed for the facility of his acquiescence. For all this, I am afraid I must have his land, for when circumstances come to be considered, it seems to be inevitable.

"It is some time since I received intimation of the Lord Chancellor's [Loughborough] approbation, which I hope will carry me safe through the House of Lords. This relieved me from some anxiety; since his lordship had not only conceived ideas upon the subject, but published them—ergo, was somewhat of a rival; and I am not sure whether he may not have a gulp or two to take before he can relish mine. Dundas was to have brought him to Q. S. P., and a day was fixed for it; but they never came. I have, however, a note from him, promising to come.

"Ministry and I go on smoothly; the only contests we have had, have been of an opposite nature to what are usual in bargains. They put a negative on the Life Insuring article, as inconsistent with some rules of theirs, as likewise upon the engagement to pay indemnification-money in case of subsequent delinquencies, as unnecessary and not calculated to answer the purpose. But I stood stanch, and made them knock under, as to both articles, with the colonel's zealous approbation, who has not yet had the knout to my knowledge, whatever he may deserve, though he is as much afraid of Woronzoff as if there were one in Harley Street in pickle for him. All turned upon character, forsooth; it was upon that they depended; had not my character, which was per-

fectly known to them, been what it is, they would, as I was told over and over again, have had nothing to say to any such proposal. A damnable doctrine, for which they ought to be impeached; but I did not tell them so, there being no time for quarrelling about collaterals. I have dealt fairly by them at any rate; for I sent Dundas, long ago, the whole cargo of my reforming pamphlets; some of which were too Jacobinical to be trusted with so orthodox a man as you.

"*Apropos* of Jacobinism, I begin to fear with you it has taken too strong root in France to be exterminated. Could the extermination be effected, I should think no price we could pay for such a security too dear; but whether war or peace would give the best chance for it, may be the matter of very honest difference. My concern is to see the men and money that might be employed in driving at the heart of the monster, diverted to the purpose of making distant conquests, which, according to my notions, could they be had for nothing, would be worse than useless. You know that every island we take costs money to govern and to defend, without bringing in a farthing of revenue, or of benefit in any other shape. This is the thesis of one of my Jacobinisms, which one of these days I hope for the honour of laying at your feet. But just now it seems as if the pressure of the exigency nearer home, were acting on my side, and that Grey and Jervis may have employment enough nearer home, without going to the West Indies to look for it. As to the colonel, he goes on very well with his gimcracks. Such of the trade as have seen his wheels, are in raptures with them, and declare that when once they make their appearance, no others will be made. But now is the season for experiment; for 'till it can be done in Panopticon, it will be hardly worth while to open shop. The paper is full,—adieu my dear Metcalf, believe me, with all affection and thankfulness, yours ever."

In answer to a gentleman who applied to Bentham, requesting his interest at the Admiralty, in favour of his brother, who had been accused of Jacobinism, Bentham says:—

"DEAR SIR,—The conflict betwixt the desire of seconding your wishes, and the despair of effecting it, has retarded my answer to your letter, to a degree which I cannot think of without compunction. Had I yielded to the first impulse that it gave me, I should have gone open-mouthed to the Admiralty, saying, O ye generation of vipers! A little reflection informed me that I had no means of impressing any of the lords, much less Lord Chatham, with any idea of any such case. As to Lord Chatham, you may judge of the sort of chance I should have of being listened to by him,—I who have not come across him these dozen years, when you recollect his refusal to listen to a proposal of my brother's, promising the greatest advantage to the service, without any risk, on the ground of his being a Russian spy. As to any other lord, it is a question with us whether they durst interfere in so invidious a business; it is pretty clear to me that they would not like it, and I have no acquaintance there but what is too recent and too slight to warrant my so much as asking a favour, much less the demanding justice. Your brother, as I am happy to find, has in his favour the recommendations as well as wishes from all that know him, from those in particular whose recommendations on such an occasion have, of all others, the best claim to regard. Supposing all this to be ineffectual, can there be the smallest chance that anything I could say would be of use? I, who cannot so much as pretend ever to have set eyes on him in my life, and who can have no motive to wish well to him, nor reason to think well of him, but what is afforded by a man who is the object of so unfortunate a prepossession as what you speak of. If no such prejudice exists against him, what room can such a body of recommendation allow for fear? If such a prejudice does exist, and that so strong a one as to overpower such a body of recommendation, could the interference of a stranger like myself present any ground for hope?

"I beg you will be assured, that no opportunity that, to my judgment, promises any chance of being of use to you

or yours, will be omitted by me, and that I am, with the truest regard, yours ever."

A letter to Bentham, dated from Dresden, January 15, 1794, gives a sensible and interesting view of the politics of Europe at that period:—

"DEAR SIR,—I hope you will not impute my long silence either to indolence or forgetfulness. Neither I assure you is the case. The truth is, that in this melancholy war of opinion, where the passions of individuals enter so much into all political reasonings, I thought it imprudent for one even in my humble diplomatique station, to hazard any observations which might appear unfavourable to the conduct of government, in the measures adopted in the present most arduous and interesting contest which the history of mankind can produce. It is somewhat singular, that in two countries, whose politics are at present so very opposite, the same terms should be made use of, though in a sense very different, in regard to aristocracy and democracy. *Moderantisme* in England, as well as in France, leads persons to become *suspecte*. If I were not most perfectly convinced of your discretion in not making any improper use of the few observations I may happen to make, I should even now hesitate to write; for the idea of doing anything inconsistent with propriety, with regard to my employ, hurts me very much. Indeed, the present crisis appears so very alarming, that every person, more or less, may be permitted to deliver his sentiments. No events in the course of last year's campaign, even the most favourable, could be reckoned so decisive as to supersede the necessity of another. To carry on this, the concurrence of the Court of Berlin happens to be absolutely necessary. Notwithstanding his Prussian majesty's aversion, in common with other sovereigns, to French men and principles, he seems nevertheless fully aware of the advantage of his present situation, and, very prudently for himself, appears desirous to relinquish the very honourable, though very expensive, cause of kings, and to substitute in its place the more lucrative idea of com-

mercial hostility. Hence arises the expedition of Lord Malmesbury and M. de Lehrbach to Berlin, to prevail with his said majesty, by golden arguments, to give, this year at least, the same number of troops as he afforded last year, gratis, according to treaty with Austria. The unfortunate turn which the war has lately taken,—the loss of Toulon, and the total defeat—I might almost say, annihilation of Wurmser's army on the Rhine, and the consequences that may yet result from these misfortunes, will undoubtedly suspend for the present all negotiations at the Court of Berlin. When to these successes we add the deplorable state of the royalists in Brittany, the increase in value of the French assignats, and the energy which the Convention has now assumed, by making, as they have well said, terror the order of the day—I think everybody must be convinced, that, in regard to another campaign, the resources of the French are increased, while those of the coalized powers are diminished. It is the peculiar misfortune of this war, that if it is difficult to go on, it is no less so to go back; and the present hostilities must terminate, if not in the extinction, at least in extreme humiliation to either of the parties concerned.

"It is, at this awful moment, much to be regretted that the possibility of misfortune has hardly been supposed, which might have been some check to the too free indulgence of the passions, and the reciprocal abuse which has resulted therefrom. God forbid that I should ever attempt to extenuate the criminality of the numberless horrors daily committed in France,—that I should hesitate to say that murder is murder, or that robbery is robbery—to defend confiscation—when to be rich is to be criminal,—or to panegyrize the activity of the guillotine. But I know there are some people who are somewhat uncertain whether these horrors are to be attributed to an original malignity in the French character, or to be considered as the effect of some cause not yet ascertained—the principle of the right of one nation to interfere in the internal affairs of another, is of a

most dangerous nature. It was formally announced by the Emperor Leopold's circular letter from Padua, repeated by the declaration of Pilnitz, and proclaimed aloud by the manifestoes of the Duke of Brunswick. Similar pretensions, on the part of the French, with regard to the Low Countries and to Holland, have been considered by everybody with becoming disapprobation. Whoever wishes to investigate the real origin of this melancholy war, ought particularly to consider, in their chronological order, the different facts and measures which have been adopted, and which imply the assertion of the above right. Without presuming to say what is really the truth, one may readily allow that hostilities are virtually commenced by a *coup de plume*, equally as by a *coup de canon*. It would be happy for mankind, if the dignity of courts would permit them, like individuals, to retract an error, and acknowledge, honestly, a mistake. When Leopold received M. de Noailles as French ambassador, after the acceptance of the new constitution by the king, he only acquiesced in the arrangement, but did not renounce the principle he had previously asserted. If this war is singular in its origin, the views in continuing it appear no less extraordinary. There is a negative unanimity indeed agreed on by all parties, viz., that the present individuals who govern France ought to be set aside; but what particular arrangement is then to follow, the legislative armies of the coalized powers have not yet explicitly exhibited. One declaration approves of the late constitution, while another proposes a different form of limited monarchy, only, however, to take place after a provisional restitution of despotism. The late reëstablishment of the old feudal forms and police in Alsace, Condé, Valenciennes, &c., seems highly impolitic, as if no act of common sense had passed any of the three assemblies, and when everybody allows the first carried some dignity along with it. In short, there is, in every public paper on this subject, a degree of contradiction which is unaccountable. In one sentence, a right to internal interference is solemnly re-

nounced, while at the same time a following paragraph issues a *congé d'élire* in favour of monarchy: but whatever may have been the origin or the object of the present atrocious hostilities, the manner of conducting the present war is out of the common way. The liberties taken in respect to foreign neutral nations, are great beyond example. Indeed, foreigners are not a little surprised at the arbitrary conduct of some of the agents of a free government at foreign courts; for independence is but an empty title, as soon as any power presumes to pass its opinions for the criterion of truth, in regard to the intercourse of one country with another. Of this there are many examples, from the proposal of erecting something like a Dutch tribunal to condemn the French regicides, to the effrontery at Florence, and the *cacade* at Genoa, inclusive. I question whether, at some future period, when facts remain, and passions will be evaporated, it will not be thought that, even for the sake of a good cause, we should not have kept such very bad company. Posterity may think it somewhat extraordinary for England, the first government, in point of liberty, in Europe, to coalize with the bigoted Spaniard, the ignorant Austrian, the barbarous Russian, together with the military mechanism of Prussia, in support of social order and legitimate government, and that, too, at the very time when the two last powers commit an act against an innocent and independent nation, which, in point of arrogance and depravity, cannot be equalled in history; I mean the scandalous partition of Poland,—an act equally hostile to social order and legitimate government. If the daily enormities committed in France tend to excite disgust in respect to popular governments, the iniquitous conduct of Russia and Prussia, with regard to Poland, reconcile, again, men's minds to democracy. The political fiction of considering France as a garrison, in order to starve it, and the counterpart of the tale in converting Toulon into a country for the purpose of legalizing supplies, not permitted by the custom of nations to the towns in a state of siege, are circumstances which further

distinguish the manner of carrying on the present war. The idea of *starvation*, in regard to an extensive country, may be accompanied with such frightful consequences as to shock the common feelings of humanity. The necessities of a garrison starved into capitulation may be immediately supplied by the besiegers; but in a country starved into submission, millions must perish before the circulation of provisions can effectually be reestablished. In every point of view, as a well-wisher to my country, I am frightened at this war, as I think the danger resulting from it to us, increases in the ratio of its duration. I am afraid that our ministers have been hitherto much deceived with false intelligence, and many of our public agents have been rather too time-serving in accommodating their reports to ministerial volition. In this country, I can assure you, peace is much desired, if it could be procured on any kind of decent terms. The five thousand men which the Elector gives as his contingent, cost exactly as much as his whole army of thirty thousand men on the Peace Establishment; and, by all accounts, the resources of Austria are completely exhausted. The only resource remaining is *confiscation*—not of private property, indeed, but of some independent German States, protected by the laws of the empire, and poor Poland likewise furnishes a further fund. You will hardly believe that another act of the infamous tragedy is likely again to take place. Both the King of Poland and Siewers, have fallen lately under the empress' displeasure, the latter being recalled. A new Diet is talked of to complete the suicide, and the name of Poland may soon cease to exist. Prussia still covets another Palatinate or two. The Empress of all the Russias has pretensions on Galicia, as formerly bearing *that* name; and the emperor, perhaps, in spite of himself, may be obliged, in his present state of humiliation, to accept some of the spoils of that unfortunate country in exchange. It is somewhat singular that, notwithstanding the present coalition, the national jealousy between Austria and Prussia exists, perhaps, more than ever.

I was at Vienna when the news came of the taking the lines of Weissemburg by Wurmser. As this place had always been opposed by the Duke of Brunswick, the unexpected success elated the Austrians extremely, and even led them, I thought at the time, to make many unguarded and impolitic observations, not very favourable either to Prussian tactics, or Prussian sincerity. The retreat of Wurmser has afforded the Prussians their revenge—and, indeed, the retreat of that army was accompanied with such circumstances, the 26th and 28th of last month, as appears by a letter of General Kalchreuth's, which I have read, as will remain a lasting reproach to the Austrian arms. In short, the soldiers would fight no longer, and, in running away, not only pillaged the peasants, but their own officers. The retreat of the Duke of Brunswick is variously talked of. By some it is said, that he has conceived too formidable an idea of the French army, to undertake any enterprise of consequence against them; and what may appear ridiculous, he is not exempted from a suspicion of Jacobinism. Whatever be the truth, Mollendorff is certainly to succeed him, but whether he is to have additional troops, or the *debris* only of the present army, the issue of the present negotiations must determine. But to pass from more general politics to what concerns more particularly ourselves. If you do me the favour to write me, might I request you to give me some account of this late *soi disant* convention at Edinburgh; and what appears to be the prevailing sentiment of the country in respect to Reform, upon which much may be said on both sides. For he who is really and sincerely attached to the present constitution, may say with truth, the more the elections are popularized, the greater is the tendency to Republicanism;—whereas, on the other hand, the French Revolution, notwithstanding its atrocities, has produced a kind of revolution in the human mind in Europe, and mankind think on many points as they never thought before. Government, therefore, by resisting all reform, may risk to be taken by assault, and the country exposed to all

the horrors of a revolution. The society of Dresden is this winter much improved by the arrival of many Polish refugees of the first distinction. We have here at present Marechal Potocky, the principal leader of the party which carried the late revolution into execution. His brother, the General, General Zabiello, Prince Czartoriski, and several other members of the celebrated Patriotic Diet. They are most excellent characters; and in the present extraordinary times, are proscribed and calumniated as criminals, for having dared to sacrifice voluntarily a part of their privileges and property, in order to promote a greater degree of happiness among their fellow-citizens. I have the happiness to be frequently in their society, and, from the anecdotes I hear, I cannot help regretting the favourable moment that we lost, to humble the ambition of that female monster, the success of whose projects is so disgraceful to humanity, and which might have prevented many of the calamities which have since happened. Abbé Piatoli is also here. He had a principal hand in the Polish revolution. He is busy drawing up an account of that affair, from the beginning to its fatal termination; and perhaps on this subject, I may take the liberty at another time to take your opinion with respect to the manner of introducing this detail to English notice."

In a letter from Trail, dated from Dublin castle, 1st February, 1794, he says:—

JAMES TRAIL TO BENTHAM.

"I have heard of your Defence of Usury,—of your Panopticon,—and of your Law Taxes,—all spoken of with approbation, without any intention of being civil to me, for it was without knowing of our acquaintance, and I must add, because truth compels me, without the least intention of applying any of the principles contained in your two last works to practice. The government must be convinced as well as the governors; and that is a work of time, to be accomplished only by books and conversation. Among the governed may be comprehended many, perhaps the great majority of governors: fifty or sixty

years is not too much time to be allowed for a new idea, or principle, to be generally established and admitted. Indeed, if, as in France, the enthusiasm of the people can be inflamed, new opinions spread faster; but such rapid conversions are not very desirable. I hope you perceive by these observations that I have already imbibed an abundant portion of official prudence,—you will say indolence and quackery."

There is a sketch of Colonel Bentham in the same letter. Never was a mind more inventive—more creative,—but never was a mind less disposed to work out laboriously its own conceptions. The philosopher had a portion of the same frailty. New subjects often distracted his attention; but the distraction was not a permanent one. He reverted back to the abandoned topic, and was never satisfied till he had completed and exhausted it.

"I request my best compliments and wishes to Sam, in whose mechanical labours (I should say inventions, for never was a term worse applied than labour to your worthy, indolent brother) I feel an uncommon interest,—being so perfectly sure, that any the least considerable of his numerous inventions would make his fortune, if he would only abjure all further improvements."

Dumont addresses Bentham on the 8th May:—

(Translation.)

"I want a word or two—only a word or two—and you must conquer your repugnance. I want not finished labours, but hints. Mark the way by a few posts, and I will follow you. Your ideas are all in ready money; so I can draw on you at sight. But I must consult you; for if I suspend my labours, the interest will cool, ennui will seize me, and the devil will do the rest.

— pendent opera interrupta, minæque
Murorum ingentes, æquataque machina cœlo."
Virg. Æn. iv. 88-89.

Sir John Sinclair writes:—

"Edinburgh, 10th September, 1794.

"DEAR SIR,—I have already seen sheep with four horns, such as you describe, both from Sweden and Persia, and I have no doubt that they are of the primitive race; for one of them came

from Mount Ararat, and the Armenians say, is the lineal descendant and representative of the ram that descended from the Ark of Noah. It will be necessary, however, to examine his tail as well as his horns, to ascertain whether he exactly resembles the sheep already in our possession. When he gets old, it would be a pity *not* to have him stuffed and preserved. I have ordered Cambridgeshire to be sent to Queen Square Place. There is no doubt but that the Guinea grass might be assimilated to our climate in three generations. I hope that you will contrive to give it as fair a trial as possible. I set out in three or four weeks for the *Ultima Thule*, but return in about a month, and will then be happy to have the pleasure of meeting you at Edinburgh.—Believe me, with regard, your very faithful, humble servant."

Bentham's answer to Philip Metcalf's inquiry, from Brighton, (of 12th September 1794,) which was in these terms—"Dear Adelphi,—How goes on Panopticon? are you at work, or have you touched a little more of the ready by way of security? Tell me about the Chinese embassy, and, above all, give me a good account of yourself——" shows the then situation of the Panopticon scheme, and the gloomy state of Bentham's feelings respecting it.

BENTHAM TO PHILIP METCALF.

"*Hendon, Middlesex, Sept. 14, 1794.*

"DEAR METCALF,—Very badly; worse than badly: for it stands stock-still. A letter I had occasion to write by Long's suggestion to Dundas, so long ago as this day month, has remained unnoticed, partly, I suppose, on account of Nepean's illness, whom I have not been able to get to the speech of in all this time.

"Meantime, the whole undertaking does not know whether it is to live, or be starved to death. So long ago as August twelvemonth, I was to have had £10,000 from Government; three months afterwards, £10,000 more: it was all agreed upon—nothing wanting but signature, when the idea was started by Administration that Parliament was necessary. I have spent in one way or other about £6000 upon it; of which,

after much ado, I got, as you know, £2000 Treasury currency—that is between £1800 and £1900. A letter I wrote to Pitt, at the suggestion of Nepean, for the first of the above instalments of £10,000, as soon as the bill had passed the Lords—that is, in June, remains unnoticed.

"It costs me at the rate of more than £2000 a-year merely to keep the men together; if one has the spare £2000 a-year, it is very well; but if he has not ——?

"Some of the men I have discharged already: the greatest part will be discharged in about three weeks more; we may go on lingering with the rest a little while longer. When they are dispersed, how we are to get such another set again, if we should want them, God knows. Such a set, after the instruction they have had, scarce exists in London, nor, consequently, in the world.

"Things standing thus, we are deliberating upon two projects,—one is to try to mortgage, and go on with some of his inventions on a contracted plan, and in a private way, if Panopticon should linger longer; the other is, for Sam to go back to Russia, where, though absence has lost him his regiment, (better than any two in his Majesty's service,) he is not without friends: a catastrophe of which, by the by, Mr Pitt had notice before it happened, and since it happened. Mr Pitt assured the D. of Dorset in June, that everything should be concluded to our satisfaction; the satisfaction, hitherto, has not been great. If Sam goes, there is an end of Panopticon in all its shapes, and of everything that hangs to it.

"Sam flies to company for relief: I to solitude and scribbling. He is gone down to his friends at Portsmouth. Vexation has not been of service to either of our healths. Q. S. P., to both of us, is like school to a truant schoolboy. The only comfort is, I have just now got possession of a new channel for coming at Dundas, through which, I have some reason to hope, I shall get him to speak, I should say, to write, (for speaking is as good as nothing,) before many days are at an end.

"As to the Chinese embassy, I know

no more about it, than the Pope of Rome: had I been in sorts I should, before now, have known as much about it as other people. If I can muster up exertion enough, I will hunt out Staunton, and enable myself to give some satisfaction to your curiosity. Sir J. Sinclair brought him to see our lions, when Sam only was at home. Then a party was made for us both to dine with him at a common friend's in the city, he wanting to see the lions a second time, with the other lion-owner. He had with him a young Jay, little more than fledged, and Colonel Turnbull his secretary. All of them seem pleasant people; with more sense and talent, or I am mistaken, than would easily be found in an equal set of English diplomatists. Turnbull, you know, I suppose is a famous son of the brush, and has lived a good deal in England. Chief-justice Jay is a good chief-justice-like looking man, of a sensible, shrewd countenance, rather reserved, but not unpleasantly so. He had been sitting up best part of the preceding night upon his despatches, which are to be made up by next Thursday; and under the urgency of the pressure he was obliged to miss the party he had made for Q. S. P. in the morning, and to leave dinner early. Sam and I both should like much to cultivate them all; but of course cannot attempt it before Thursday is over, and whether we can find spirits for it afterwards, must depend upon Dr Pitt.

"Men who are somewhat in the way of knowing, say that Windham is going into the D. of Portland's place, and the Duke into some other; but all this, if there be any truth in it, you must have heard of long ago from better quarters.

"There was a grave assertion in the papers, not many days ago, of Broderick's quitting, (which I should have been sorry for,) and Baldwin the Counsel taking his place. It was supposed to be a joke upon Baldwin; not a shadow of truth in it.

"Here you have your queries answered, and little over. Prosperous or unprosperous—sick or well—weeping or exulting, I am, dear Phil, ever yours,

"J. B."

Other letters of this period speak of "the faithless dilatoriness of the Ministry," and of his diminished hopes of seeing his plan adopted.

Bentham addressed, at this time, this letter to Arthur Young:—

BENTHAM TO ARTHUR YOUNG.

"DEAR SIR,—Permit my ignorance to draw upon your science on an occasion that happens just now to be a very material one to me. I have a sort of floating recollection of a calculation, so circumstanced, either in point of authority or argument, as to carry weight with it, in which the total value of the landed property in this country (Scotland, I believe, included) was reckoned at a thousand millions, and that of the moveable property at either a thousand millions or twelve hundred millions. Public debt did not come, I believe, at least it ought not to come, into the account: it being only so much owed by one part of the proprietors of the 1,000,000,000 or the 1,200,000,000, to another.

"Upon searching your book on France, which was the source from which I thought I had taken the idea, I can find no calculation of the value of the moveable property, nor even of the immoveable, in an explicit form: on the contrary, in the instance of the immoveable, I find suppositions with which any such estimate appears to be incompatible. The Land-Tax at 4s. I find, you suppose, were it to be equal all over the country, (it is of England only, I believe, that you speak,) would be equivalent to as much as 3s.: on which supposition the rental (the tax at 4s. producing no more than 2,000,000) would amount to no more than £13,000,000, nor, consequently, the value at so many years purchase, say 28, to more than 364,000,000; or at 30 to 390,000,000; to which, in order to complete the calculation of the landed property of Great Britain, that of Scotland would have to be added:—

"1. A calculation, I should rather say the result of a calculation, of the value of the landed property of Great Britain, reckoned at [] years purchase,—(two prices, a peace price and a war price, could they be respectively of sufficient

permanence to be ascertained, would be of use.)

"2. Do. of the value of the personal, i. e. moveable property of Great Britain.

"3. The amount of the population of Great Britain."

To this letter he received the following brief reply:—

"*Bradfield, October 5th, 1794.*

"DEAR SIR,—I take the rental of England to be twenty-four millions, exclusive of houses, and the annual product of timber, mines, &c.

"Houses,—twelve years' purchase.

"No data strike me at present to discover the rental,—but these are questions I have not of late given my mind to.—I am, dear sir, faithfully yours.

"Apply to me on all occasions without apologies."

Bentham wrote two letters to Charles Long of the Treasury,—one announcing, and the other accompanying his pamphlet, "Supply without Burthen."*

BENTHAM TO CHARLES LONG.

"*Q. S. P., October 1st, 1794.*

"DEAR SIR,—You are now a holiday-making,—I wish you as much sport as you have afforded me satisfaction. To vary your pastime, which, perhaps, may be found not unsuitable to the place, permit me to present you with a riddle.

"What is that pecuniary resource, of which the tenth part would be a tax, and that a heavy one, while the whole is no tax, and would not be felt by anybody?

"The solution lies with the copyist; I hope it will be sent.—I am, dear sir, your most obedient and much obliged humble servant."

"*Hendon, Middlesex, October 13th, 1794.*

"SIR,—If the pecuniary resource I ventured t'other day to submit to you, should be deemed ineligible or impracticable, perhaps in some other instance I may be more fortunate. I have two other such resources upon the anvil,—the

one involving a burthen indeed, but that burthen coupled with an indemnity capable of balancing it, and sooner or later even of outweighing it: the other absolutely pure from all burthen from the very beginning. The first is already with the copyist: the principle of it has been exemplified in the first instance upon a single denomination of persons: but it is a pregnant one, and if approved may yield a score or two of other taxes. The other has been already travelled through, and wants only to be digested a little. Neither will trespass so much upon your patience, in point of quantity of reading, as the proposal about escheat: both together will not equal it in produce. Proposing without justifying is nothing: I could not bring myself to hazard either proposal, till I had, to my own conception, established it upon principles. Resources new *in specie* are hardly to be found; but it will be something if any such as are justly approved *in specie* can be rendered new in point of *extent*, or any that have undergone unmerited disgrace can be restored to favour and to practice by being placed in a new light.

"Thus occupied, I have thought it an escape not to have received a summons as yet about my own particular business: it has been laid upon the shelf for the chance, faint as it may be, of being of use by your assistance in a line of superior importance. I would, therefore, beg the favour of you to allow me *two clear days* notice: for it will take me one day to abridge the memorial, and another to get it copied.

"On the former occasion I trespassed on the gravity of your situation by the present of a *riddle*. Permit me now to reconduct you to the style of the subject by a grave apophthegm,—*Supply without burthen is victory without blood*. The application of it is what I have been pushing as far as time and faculties would carry me.

"If either use or amusement should, on your part, have paid for the trouble of reading all this, mine in writing it will have been overpaid.—I have the honour to be, with all respect, dear sir, your most obedient and humble servant."

* Works, vol. ii. p. 583 et seq.

Of these financial projects, the following *resumé* was prepared by the author:—

*Proposal for an unburthensome augmentation of the Revenue, by an extension of the Law of Escheat.**

* Already submitted.

be added a tax on such as cannot be carried on with so much advantage on Government account, as on account of individuals.

To which is prefixed, an Inquiry, in answer to the question,—What lucrative occupations are capable of being carried on with advantage on the account of Government?§

* Examples:—

1. Sale of perpetual redeemable Annuities, (the common mode of what is called *borrowing*.)
2. Sale of Life Annuities for lives of purchasers.
3. Sale of Annuities for long and short terms.
4. Sale of Annuities, with benefit of Survivorship—Tontine.
5. Sale of chances of large sums for small sums—Lotteries.

† Examples:—

1. Business of the Amicable Society.
2. Business of the Equitable Society.
3. Business of the Friendly Societies.

‡ Examples:—

1. Insurance of life against life.
2. Purchase of Life Annuities for sellers' lives, on mere personal security, or doubtful real security. Quere—If the tax would be eligible being a tax upon distress?

§ Example of profit by the conjunction of the business of buying Life Annuities for the lives of sellers, with that of selling Life Annuities for the lives of purchasers:—

RECEIPT—

For £50,000 a-year, sold for the lives of purchasers,
at fourteen years' purchase - - - - £700,000

DISBURSEMENT—

For ditto, bought for the lives of sellers, at eight
years' purchase, (lives of equal goodness) - 400,000

Profit - - - - £300,000

N.B.—In this proposal are given *inter alia*:—

1. Reasons for apprehending that the *Friendly Societies* will, in general, scarce be able to make good the *half* of what they are likely to undertake for.

2. Reasons why the honour of Government is concerned in procuring a complete stock of the requisite *data*, without which all calculations, relative to the values of Life Annuities in general, and in the instance of the *Friendly Societies* in particular, must be fallacious—viz. a complete and authentic set of statistical Returns, showing the proportion of deaths to inhabitants in the several parishes throughout the kingdom.

3. Reasons why it would be of advantage as well to the individuals particularly concerned as to the public in general, that Government should take the business of the *Friendly Societies* into its own hands, that part which concerns the insurance against sickness only excepted.

Proposal for an unburthensome augmentation of the Revenue, as well as for the removal of divers impediments to industry, more especially inventive industry, and superior workmanship, by licences conferring the several faculties undermentioned, viz:—

1. On the part of the moneyed man, faculty of investing a *limited* sum in trade or manufacture, in consideration of a share of the profits||—hence, on the part of the manufacturer or trader, a capacity of obtaining capital on such terms.
2. Faculty of lending and borrowing capital at a rate exceeding 5 per cent., the present legal rate of interest.
3. Faculty of obtaining Patents for inventions without the present expense,¶ on security given for allowing government an annual consideration in the way of annuity or share of profits.**
4. Faculty of exercising a trade without having served an apprenticeship.††
5. Faculty of obtaining protection for the reputation of superior workmanship against counterfeits, by a man's registering his name and marks as put upon his goods: counterfeiting the same to be thereupon punishable as forgery.

|| At present, by a construction of common law, a man cannot lend a penny upon such terms, without risking his whole fortune.

In Ireland, relief is given to a certain degree against this inconvenience, by a statute of about ten years' standing.

¶ For Great Britain, between £200 and £300, in the least expensive case.

** This would operate as a saving of so much capital.

N.B. Full indemnification to the several offices concerned.

The three legal restraints against which these three faculties afford relief, form together an almost total prohibition of *inventive* industry on the part of at least 19 individuals out of 20.

†† In the instance of all four faculties, the license to be registered.

On the pamphlet on Escheat there is the following, dated 23d October, 1794, from

JAMES TRAIL TO BENTHAM.

“*Lincoln’s Inn.*”

“DEAR BENTHAM,—I have a thousand apologies to make for not having sooner thanked you for the perusal of your paper on *Escheat*. I have been scarcely an hour at home, except for sleep, since I received it. I ran it over very hastily, and having no prospect of more leisure for some time, I sent it to Wilson with all the cautions and injunctions you prescribed.

“The plan appears much more reasonable on your development of it, than I had conceived it possible to have made it. I feel still startled at the proposal to vest in a public officer all property of which the state will, by your plan, be entitled to any share; and I doubt if the example of an executor or administrator will reconcile people’s feelings, or even their reason, to this part of the scheme. However, I am very glad you have written it, and sent it to Long, as it must impress every person that reads it, with a very favourable opinion of the faculties of the author. You labour, and with much ingenuity, but I doubt if with complete success, to prove that this mode of raising supplies will *appear* less burthensome or oppressive than a slight tax on collateral succession. After it has been established some time, that may really happen; but although you may convince a minister that it will happen, he cannot venture, on his own conviction, to make the experiment. You must convince the public, also, which, I fear, is impossible. The reluctance with which tithes, compared to rent, are paid, is a very strong illustration of your point. If the Church could occasionally be put into the actual possession of the tenth part of every field or farm, as the landlord occasionally is of the whole, the property in the Church would neither be disputed nor repined at.”

D’Ivernois, in sending to Bentham his volume on the French Revolution, expresses a wish that it should be known
• Vol. X.

in Holland, and adds—“I have thought it necessary to put my name to the work. I had been silent, for it was natural for me to wish to withdraw both from the literary and political scene; but as many readers have asked whether it is not my object capriciously to blacken the French Revolution, I feel that I am bound to take upon myself the responsibility of an historian.”

Lord St Helens was at this period our ambassador at the Hague, and Bentham thus addresses him:—

BENTHAM TO LORD ST HELENS.

“*Q. S. P. December 5th, 1794.*”

“MY DEAR LORD,—On reading the enclosed, [D’Ivernois’ work,] it occurred to me that the example of the tragedies it displays might possibly be of use within the circle of your lordship’s mission; and that some member of the Government there might think it worth while to get it translated and printed there with that view. Two propositions seem to be placed by it in a strong light: that French principles are not more hostile to a monarchy than they are to any existing commonwealth, and that the first authors of a revolution grounded on such principles, or supported by such assistance, may depend upon being the second victims. If I may believe the enclosed letter from the author, a man of good character, with whom I have a slight acquaintance, the same idea of the utility derivable from the publication, had occurred to, and been recommended by, Mr Windham to your lordship. Should any steps have been taken in consequence, I hope the business will not be so advanced but that the corrections and additions, annexed to the present copy, may come in time. The other little pamphlet is by M. Chauvet, master of an academy of the higher order at Kennington. Some months ago I took the liberty of giving a relation of mine by marriage, Mr Abbott, a letter of introduction to your lordship; whether he ever had an opportunity of delivering it, I do not as yet know; for soon after his return to this country, he followed his wife to her long home.

"As for my own—my own affair,—I mean the castle in the air—

"'Tis now as whilom might be sung, adherent-stuck, suspended-hung ;

coördinate as well as subordinate persons, well affected, and not unzealous, but the grand and universal damper and doer of nothing, who knows he is ruining me, and has ruined my brother, still insensible and immoveable.

"Mr Gally's court, I hear, has opened for the winter ; but that one of us who attends courts, whether for want of legal notice or for what other cause, has not yet begun to do suit and service.

"Believe me now and for evermore, with the most affectionate respect, my dear lord, your most devoted

"J. B."

A letter to Lord Lansdowne, dated Q. S. P., December 11, 1794, exhibits a new way of exacting the payment of old debts.

"MY LORD,—The most unfeeling and faithless of ministers and of mankind has not left me bread to eat. If it were of any use my existence should be supported a few days longer, you might pay, give, or lend me a miserable £12, being the price of certain books sent in to the library at Lansdowne House, in obedience to your lordship's commands, in the year of the Christian era 1789. It was the collection of the Transactions of the French Provincial Assemblies, in twenty vols. quarto, or thereabouts.

"I have had great debates whether to apply in this manner, or to write a letter about blood and wounds, and putting the money into a sartin place, or to lay in wait and display the polish of a pistol, or to break into the butler's room some night, and lay hold of whatever it afforded. At last, among a number of courses, all equally scandalous, this was preferred as steering clear of halts.

"All this will seem a dream to you ; but if you will inquire whether such books are in your library, you will probably find them there ; and if you inquire from what bookseller they came, you will hear of none, unless Mr Cross should happen to have among his bills, one of Elmsley's to me for those books,

and I think to that amount, which this hand gave, not long after, into your lordship's.

"Were you to see me, you would find me looking, as well as talking, like Romeo's apothecary ; yet still, saving these my necessities, your lordship's most devoted servant to command, till death, that is for a few days,

"JEREMY BENTHAM."

Lord Lansdowne answers the following day :—

"*Friday Morning,*
"12th December, 1794.

"DEAR BENTHAM,—I do not think you deserve the enclosed, but when you are upon the point of the cliff, I will promise you as much more. I have, I assure you, been in a great deal of pain for you, for I am afraid you have got among a set of r—s. I have been perpetually thinking how I could be of use to you ; but I do not see that I can, except, perhaps, a little advice about men, and as to what may happen. The ladies are out of town. Why will not you and your brother come and dine here some Saturday with Romilly and Dumont, when it can do you no harm to talk your affairs over ?

"Next Saturday I have a dinner of Americans, but the following Saturday is quite at your command.

"I am, though you do not deserve it, very sincerely yours."

What follows, dated March 6, 1795, is rather an amusing, though, to the sufferer, a sufficiently annoying detail of official delays and difficulties :—

BENTHAM TO LORD LANSDOWNE.

"You ask me, what success I have met with from the great man ? meaning, I suppose, Mr Pitt. If I had met with success—that is, if I had settled with him—you would not have been four-and-twenty hours without hearing of it. The case is, that besides his procrastinating disposition, the chapter of accidents has been against me. On the 6th or 7th of last month, Mr Dundas, with the privity of Mr Pitt, wrote to

Mr Long (Secretary to the Treasury) to meet him on the Monday, the 9th, at Mr Pitt's, at half after ten, to settle everything. Mr Long having a cold, and sore throat, did not come till half after eleven,—and so nothing was done. Mr Dundas, at my solicitation, wrote therefore to Mr Long, to make another appointment for the same hour the next day. Mr Long having still the same indisposition, did not come till twelve,—so that opportunity was likewise lost. Mr Dundas thereupon finding the difficulty there was to find a sufficient time that would suit the joint convenience of himself, Mr Pitt and Mr Long, proposed, in concurrence with Mr Nepean, (who had conducted the business with me originally, to the stage at which, for want of parliamentary authority, it stopped,) that power should be obtained from Mr Pitt for him (Mr Nepean) and Mr Long to settle the business; and Mr Nepean devoted to that purpose the then next Sunday, (February 15,) the only day his regular business could possibly allow him to spare; and Mr Dundas was so sure of Mr Pitt's coming into it, that he told me on the Friday before, I might take for granted the meeting would be held with me that day, and that the business would then be done. Mr Dundas, however, reckoned without his host; for on the Monday or Tuesday after, he told me that Mr Pitt would not turn it over to anybody else: but that he had promised him, that the first hour he could spare from those branches of public business that admitted of no delay, he would set about it himself—Sunday and the fast days that were then approaching; meaning the Wednesday and the occasional fast. These fast days, however, are over, and still the business is not done; yet everybody joins in assuring me, that Mr Pitt means really to do it. In the meantime, this unfortunate business of Ireland has come across them, and cannot have failed to furnish extraordinary occupation to their thoughts. They show at the same time a readiness to admit of our services in other matters. Mr Nepean t'other day introduced my brother to the Duke of York as com-

mander-in-chief, for the purpose of examining his invention of an amphibious baggage-wagon, to answer the purpose of wagon and boats without increase of weight. My brother accordingly waited on the Duke, at York House, by appointment the next day, Sunday se'nnight, February 22, with the model. The Duke saw it,—approved it highly, and gave him orders for making some in the great, and talked of coming to Q. S. P. to see Panopticon and the other things. The very next day, without any warning, he came—saw—admired, and told Nepean afterwards that he should bring the king, who would probably have been here before this, if my brother had not desired a day's notice, which was accordingly promised. No baggage wagons, however, will my brother make till he has got orders for them from Lord Cornwallis, the new master of the ordnance, to whom Nepean has already spoken of him, and has promised to introduce him in person by the first opportunity for that purpose. Mr Pitt and Mr Dundas have likewise intimated to Mr Nepean, a disposition to listen to my brother's plans of improvement in relation to the navy: and for a beginning, have declared their willingness to turn over to him the *Orion* of 74—known as the worst sailer in the navy, which he has undertaken to make the best. He has likewise been sounded about quitting the *Empress's* service, for the purpose of taking such a situation in our admiralty service, as would give him the power necessary for carrying his plans into effect. The arrangement of these matters waits for Nepean's removal from his present office to his new situation of principal Secretary to the Admiralty, where he is to have great influence. We have already an order from the Board of Ordnance to make wheels, but the present situation of the works does not admit great despatch in the execution of it. What is remarkable is, that Pitt and Dundas should undertake for the alteration in the *Orion*, before Lord Spencer had been consulted about it. My brother's introduction to Lord Spencer, has been deferred till Nepean, who is to do it, has been seated in his new office, which will

render him the proper man for it. We are all along assured, from a variety of quarters, (for many people of weight among Mr Pitt's friends have volunteered their services on the occasion,) that his procrastination has not proceeded from any dislike either to the men or to the measure; and it was but t'other day that Nepean said to my brother in so many words, 'there are not two men alive that Mr Pitt has a higher opinion of than you and your brother.'

"Pitt the second," said Bentham, speaking of him to me in 1822, "had that quality,—the only quality necessary for a ministerial leader,—the quality of an orator. He had no plans—good or bad—wide or narrow. In fact, he came into office too young to have any,—just at the age when a man is intrusted with the conduct of his own private affairs. The Secretaries of the Treasury were Mr George Rose and Mr Charles Long. All that was wanting to the art of government was, that, from time to time, certain changes should be proposed, to prevent the machine from falling to pieces; and George Rose was generally employed to prepare and give an account of those intended and necessary changes. Mr Long was the *arbiter elegantiarum*—the master of the government ceremonies. The work that was to be done was con-

cocted by Rose,—the secret superintendence of the workmen was managed by Long."

The Duke de Liancourt writes to Bentham from Philadelphia, of the delight with which he had been studying the machinery, and the results of their system of prison discipline. He says, that he felt relieved on reaching a country where public opinion judged tolerantly of the variety of religious and political creeds. But he desires that his name may not be mentioned as the author of the remarks, lest he should awaken an attention he desires to avoid. He says, that the admirable management of the Pennsylvanian prisons has already brought about benevolent modifications of the penal code. He admires the care,—the attention,—the tact of the keepers: says that the jailor's wife had succeeded to office on her husband's death, and the discipline was quite as perfectly preserved as before. Whether from fear,—from conviction,—or from habit, order was admirably kept. He is struck with the superiority of the prisons, to every other public establishments. One thing only shocked the duke, namely, the total separation of the black from the white prisoners. And yet, says he, the directors of the prison are mostly Quakers and Abolitionists! So contradictory is man!

CHAPTER XII.

1795—1799. *Æt.* 47—51.

Dumont.—Lord Wycombe.—Duke de Liancourt.—Wilberforce.—Lord St Helens.—Letter on the Treason Bill.—Plan for an Index of Advertisements.—Pole Carew's Financial Projects.—Dr Colquhoun.—Plans for Improving the Metropolitan Police, and the Westminster Magistracy.—Correspondence with Sir Francis Baring on Banks and Paper Currency.

THE multitude of letters which passed between Dumont and Bentham exhibit the curious workings upon one another of minds constituted of various and sometimes discordant elements. Dumont scarcely ever failed to make Bentham attractive, by the graces of his own style,—and by an infusion of commonplaces, of every-day knowledge, and of

familiar illustrations. "You are too metaphysical," he tells his master, "you write for too small a class,—I must be more diffuse,—more explanatory; I must suppress what seems too abstract,—I must spread out what you have condensed." "You should complete what you are about. We cannot wait for the Greek calends. Everything needs

not be said,—everything is not expected to be explained in the same volume.”

Dumont was in the habit of suggesting to Bentham topics for his consideration, in order to fill up any blanks, or to correct any apparent defects in his writings. For example,—to the list of circumstances which influence sensibility, and which are given in the sixth chapter of the *Principles of Morals and Legislation*, Dumont proposes to add, the seasons; sounds;—music—military music, the voice—soft—sharp—exasperated, &c.; colours, darkness, as inspiring sadness, fear, &c.; light; food; noise; silence; motion; repose; sympathy, (machinal) as in a theatre, produced by the presence of multitudes: dress, as distinguishing sex; localities, as an apartment where we have witnessed the death of a friend; symbolical figures; solitude; society; physiognomy, beauty, ugliness.

Quære.—Why is not the word passion in the catalogue,—or why is its absence not explained? There is *tendency of the inclinations*. Is this the *genus*, of which the passions are only the species? (Yes! J. B.)

Quære.—Do not *habitual occupations* belong to circumstances of the second order, inasmuch as their influence must be subordinate to that of health, strength, degree of light, inclinations, fortune, &c.?

Quære.—Should there not be a distinction between the circumstances which determine the *quantum* and the *genus* of sensibility, and the accidental or exterior circumstances acting on it and calling it into exercise?

The following letter contains many curious particulars illustrative of Neapolitan politics and Italian customs:

LORD WYCOMBE TO BENTHAM.

“*Naples, October 2, 1795.*

“My last was dated on the 24th ult., from Rome, which I quitted the same evening. On the 25th I passed through Terracina, which has been judged a proper residence for those whose lives the government has thought it not expedient to prolong, and which is situated at the

extremity of the formidable *Palude Pontini*, now the *Ager Pontinus*, since the pope will have it so; for the good pontiff, with his usual vanity, pretends to have regenerated these swamps, and actually has created in them a job for the nephew, if not an accession to the state.

“So angry are the people with the partiality which enables that prince to sell grain out of the country, whilst the government exports specie to bring grain into it, that the former, who probably cannot apologize for opulence by any plea of private worth, much less of public service, is hardly safe within the walls of Rome.

“The industry excited in this quarter, which almost insures ill health and premature diseases, has of course proved fatal to a large proportion of the labourers employed; still, however, the building at Terracina, which must be more or less connected with the improvement of the lands contiguous to it, is progressive, and after the many well-earned imputations which will stain the sacerdotal reign of Pius Sextus have been enumerated, it is but justice to remark, that he has contributed much to the perfection of the roads in the country of which I am speaking, and not a little to the increase of cultivation throughout the state.

“The nullity of the pope, the vacillation of the court, the false and unbecoming part which, through the intrigues of Lady E. M., it acted in the affair of Armfeldt, the discovery of the correspondence carried on through Genoa, the affair of Medicis, the increase of imposts, the *insidious project with regard to Leghorn*, the jealousy which Acton bore to Caramanico, the change which has taken place in the *ostensible* existence of the former, and the death of the latter, are topics which cannot be new to you.

“To these topics it appears to me that the history of Neapolitan intrigue may be confined; at least my information does not go beyond them. The main question to be considered here, as elsewhere, is naturally peace or war. The language is extremely warlike: but

it is certain that A. prides himself on the address which left it in the power of his Sicilian Majesty to make peace at any time, consistently with the stipulations of the treaty entered into with Great Britain; it is, I believe, scarcely less certain that the conduct observed at Venice accords ill with the language which is held at Vienna; and indubitable that not a shadow of reliance can be placed either on the probity of this court, or on the sincerity of any declaration which its Ministers may make. Upon the whole, I am inclined to think that it is their intention to make peace, but their ambition to bring it about in such a manner as shall leave them independent of the Spanish mediation. In other words that they are anxious to put an end to the risks, and the expenses of the war, but determined to maintain A., who is almost as much detested at Madrid as at Paris and at Naples. The trial of Medici, the Regent of Police, who still continues in confinement, is not as yet commenced. From time to time more persons are arrested. A few days since, a young man, of one of the most illustrious families in Italy, (that of Colonna,) was taken up and confined in a fortress. His crime is supposed to consist in his having sung 'Ca ira' two years ago at a supper. This circumstance may serve to show to what an extent suspicion has been carried and authority abused. I have every reason to suppose that even strangers are minutely watched, and that the contents of this letter, if it were sent to the Post-office, would be in a fair way of being reported to Mr Castel Cicala. Last year I was almost proscribed: it seems as if it were intended that I should be smiled upon in this: but such particularities are wholly immaterial."

"October 5.

"The packet from Palermo arrived upon the 2d, and brought over a young man, nephew to the Prince of Campo Franco, who has been taken up for Jacobinism. Notwithstanding the time which has elapsed, nothing certain is known with regard to Caramanico, the sudden and peculiar circumstances of whose death make suspicion unavoidable.

The most probable conjecture seems to be, that he poisoned himself. He had perpetually solicited leave of absence, but was always frustrated by A.—. At length leave was granted; but he was hurried off about ten days after his arrival here, and certainly went, saying to some one that he should not come back.

"I live most in habits with the Danish Minister, whom I have always known the same, and liked these ten years. He dines at home, almost every day, with Count Reydern, not now employed, but whom you remember in England, and scarcely anybody else. I am also beholden to a society at Portici, consisting of Lady Hamilton, who is not ignorant of the astonishment with which she strikes me; of the handsome Princess Vintemiglia, who, born in France, unites, as I make no scruple of telling her, a Parisian tournure with the charms of southern countries; of the amiable Countess Corletti, for whom I had a letter from her brother, the Chevalier de Saxe; and of the Russian Minister's wife, who, if my old friend her husband may be taken at his word, is exceedingly devout, but whose eyes, if I may trust my skill in physiognomy, tell a different story.

"The men, excepting a little commandeur who has seen the world, and the Russian, who is very gay, passably consequential, and communicative with a vengeance, are little better than mutes; I mean in that society. I must, however, do that Nestor in love and politics, Sir W. H., the justice to say, that he is very particular in the mention of the obligations he owes to his friends.

"Upon the 3d, I accompanied the Hamiltons to Monsieur Esterhazy—a stupid, good sort of rich man, who plays whist, because he cannot bear to read; and told me he was *ambassadeur de famille*, with scarcely another idea in his head. In the meantime, he was doing the honours of a fête, at which the king and queen were present. I was presented to both: the former was as gracious as he could be, without speaking; the latter spoke to me different times in the course of the evening, with

the air of a determined *maitresse femme*, and very well. The rising generation seemed to me not promising. In a corner, I was introduced to the evil genius of this country,—that sinister being, A——, who rarely insults the public by his presence, but, reigning through the medium of an Inquisition, resides in sad obscurity and gloomy opulence, attended by a chosen band of satellites and spies. Lady Hamilton told me, that the queen had assured her that morning, there should be no peace but with the consent of England. She added, ‘I could not think what a domestic, good-hearted woman the queen was!’ The Russian minister’s wife, who is no favourite at Court, was absent through an indigestion, the consequence of eating too much supper.

“I am condemned to stay here till the departure of a ship, in which I mean to go to Sicily; and make a point of telling the ladies that I must quit Naples soon, lest I should grow to like it too well. In point of fact, I am impatient to breathe the sea air, uncontaminated with the breath of strumpets; but this is not so easy as you may imagine, for what with corsairs, quarantines, and French depredation, the Mediterranean has become an odious gulph.

“The new Russian minister, Count Golowkin, is a young man, born and educated at the Hague, who came to Russia not very long before I made an acquaintance with him, which was almost intimate for the time it lasted, at Moscow. I was surprised to find him inveterate against Marcoff, who, he pretends, has not so large a share of influence as is commonly imputed to him; but my surprise increased, when I heard him declare, that the empress had never had, during the whole course of her reign, one minister of whom he would make his secretary. He says, that Osterman, the chief of the Foreign Department, is a man of veracity, but that he knows little of what is passing, and is merely ‘*celui qu’on livre à la curiosité des étrangers.*’ Besboroolks he calls a ‘*masse de chair.*’ He reprobrates Marcoff, taxing him with profound immorality, with mismanagement of the

affairs of Poland, and asserting that it was found necessary to take the business of Courland out of his hands. He declares that Zubow is the real minister; but though he inclines upon the whole to speak well of this favourite of the empress, he evidently thinks him very inferior to himself. He exclaims against the falsehood and tripotage of this Court, which he affects to consider as diminutive: talks of A. as he would of a valet-de-chambre, and of Castel Cicala as a man who got out of his *metier* of advocate by chance. He vows that the queen of Spain’s great ambition is to imitate the empress, but that she can only do it in the article of favourites; and asserts that Lord M— judged very ill during his mission in China. He does not always judge very well himself, for he cannot get over the circumstance of a box opened at the custom-house by mistake, out of which he affirms that his wife’s petticoats and some other articles have been purloined. He observes, on this occasion, that he is the *représentatif du souverain le plus marquant de l’Europe*: he desires to know what reparation the Court of Naples would expect in similar circumstances, and begs that reparation may be his. Monsieur de Castel Cicala writes for answer, that, in such a case, the King of Naples would take such and such steps, and would inquire whether his minister enjoyed any personal consideration in the Court to which he was sent. Everything will be done to make his situation disagreeable, if I may judge from little things which I have had occasion to observe.

“The Chevalier de Saxe, whose acquaintance I had great pleasure in making at Rome, and who has lately quitted Petersburg, by order of the empress, for an affair which seemingly does not imply a shadow of discredit, told me that Golowkin had assisted Zubow, who wants political talents, in private; but began, at length, to give umbrage to that favourite, who wished him at a distance. Golowkin is, beyond a doubt, the most indiscreet man alive; but I am bound to speak well of him: he received me with the utmost cordiality, and gave

me to understand he dined at home five times a-week.

"It is now high time that I should apologize for having troubled you with this compilation of small talk. A more formal letter, however, might have conveyed a less accurate idea of the present situation of this residence, the business of which is conducted like that of an ill-regulated private family, in which an artful interloper finds a foolish husband in occupation and amusement, enabling, by such means, a dissipated wife to tyrannise over her household, spend the fortune of her family, and give loose to all her passions.

"P. S. I am assured this will be conveyed safely to Rome, where it will be put into the post."

BENTHAM TO THE DUKE DE LIANCOURT.

(Boston, U. S.)

"Queen Square Place, Westminster,
"Sunday, Oct. 11, 1795.

"MY DEAR DUKE,—I have deferred the acknowledgment of your kind remembrance of me so long ago after the receipt of it, that I begin to be apprehensive lest this letter should not reach the place you indicated to me time enough to find you there. The termination of my negotiations with our treasury, relative to the Penitentiary business, is an epoch of such importance to the remainder of my life, and will make so great a change in my position with relation to all sorts of objects, that I am got into the habit of deferring to that period all sorts of undertakings, permanent and transient, considerable and inconsiderable. Meantime, the intelligence of an opportunity for Boston that will not last beyond Wednesday next, is a warning to me not to postpone any longer the discharge of one of the most agreeable, as well as honourable of my debts.

"Your present has been of real use to me in the way of encouragement and self-satisfaction, and will be of use to me in the way of argument on more occasions than one. The injunction in which you are so earnest has prevented me, and, while it remains unrepealed, must

continue to prevent me from giving the public the benefit of the work in any other shape. Statements, relative to matters of fact, depend for their reception upon their apparent title to credit, and their apparent title to credit depends upon a *name*.

"Your letter did not reach my hands till after the Metcalf family had left London for the summer; and as they have not yet returned, I have not yet had the opportunity of communicating my treasures to the lady in question with the privacy you seem to require; for I am not sufficiently acquainted with the female branches of the family to know whether a letter directed by the post to one would reach her hands without the cognizance of the rest. The great probability is, that all this caution about a matter so well calculated for the public eye, is most perfectly superfluous, and that I am cheating more persons than one of a pleasure which it was not intended to deny them; but seeing explanations barred by the Atlantic, I chose to adhere to the safest side, and to let my *mandant*, though a Frenchman, see he had got a Spaniard for his *mandataire*.

"I don't know whether you saw the *Draught* of my proposed *Contract* with Government, in which I inserted a clause for insuring, at my own risk, the lives of the prisoners,—a clause which, with great difficulty, I got allowed. In my *book*, you may have observed the *recommendation*, which, in my *Contract* I have got converted into an *obligation*, to debar them altogether from the taste of all *fermented* liquors. Judge how pleasant it was to find by your Report, that when prisoners are cut off from that source of corruption, they *live quietly* and *never die*.

"As to my book on *Penal Legislation*, it is no more than upon a par, in point of forwardness, with half-a-dozen others in the same workshop; and I am inclined to think one on *Civil Legislation* will get the start of it, or at least accompany it. Whatever turns out at any time, the three copies you do me the honour to bespeak, shall be always at your service. Name me the two

friends you allude to, and their copies shall be sent them from hence in the event of your departure. All the productions of that same workshop have been cruelly retarded by the dilatoriness, and (I won't say how many other pretty qualities besides) of our *higher powers*: two-thirds at least of the time that has elapsed since I had the honour of seeing you, has been consumed, in fighting them, or dangling after them in ante-chambers and passages. To save time on one hand, while so much was wasting on the other, the plan was, that *Dumont* should take my half-finished manuscripts as he found them—half English, half English-French, and make what he could of them in Genevan-French, without giving me any further trouble about the matter. Instead of that, the lazy rogue comes to me with everything that he writes, and teazes me to fill up every gap he has observed.

"My contract, though every tittle has been agreed on, is not even yet *signed*: consequently, my brother's inventions (I mean those of the peaceable kind) have remained hitherto unemployed. In his military capacity, he is preparing some dishes for the entertainment of your countrymen, and my fellow-citizens, the *Pandemonians*. Talleyrand may perhaps be amongst them again by this time. I hope Beaumetz is of the party, if he wishes it; but I rather wish than hope they may find themselves as well off in their reintegration as you are, I hope, in your banishment. While I write, the news is arrived of the Sections and the Convention being employed in cannonading each other—the result not known, though the Sections appear to have the worst. Quiet seems now as far off as ever. I can see no issue to such a dispute. You may remember how the English *sang froid* was kept for year after year in a flame, upon the electors of one of the counties conceiving they had one single representative forced upon them to the prejudice of Wilkes, whom, after they had got him, and tried him, they turned their backs upon.

"*Apropos* of my brother's inventions, do you know of anybody where you *are*,

or where you *have* been, who would like to be taught how to stock all North America with all sorts of woodwork, without exception, (shipping not excepted,) besides a number of other *et ceteras*, by machinery, on the terms of allowing the inventor a share of the profits as they arise?—Wheels, for example. Small ones by way of models, were executed, I believe, when you were here last; now, we have full-sized ones, round, to a degree of perfection in point of rotundity, never before exemplified. If the preliminary steps that have been taken by the Admiralty terminate as is intended, he will soon have the direction of the whole system of naval works put into his hands, with the title of Inspector-general of the Navy. A plan which the Navy Board had devised, and proceeded a good way in the execution of, for the enlargement of the dockyard works at Portsmouth, has just been stopped by the Admiralty Board, and a very different one of his contrivance ordered to be substituted in the room of it. My paper is just out, to say nothing of your patience. By my gratitude for past communications, and attention to past commands, judge of the value I should set upon any future ones; and believe me, with the most cordial respect, yours ever.

"The Irish Administration has applied to me once more to set up Panopticon there."

BENTHAM TO LORD LANSDOWNE.

"*Queen's Square Place, Westminster,*
"9th February, 1796.

"MY GOOD LORD,—Permit me thus humbly to solicit your lordship's assistance, if haply the matter should be found to lie within the sphere of feasibility, in a business of cardinal importance. It would, I dare believe, have been recognised as such by your lordship's late venerable friend, now a saint in Heaven, the Cardinal de Bernis—Cardinal Frampton, (if I may avail myself of a privilege annexed to my quondam profession, and according to one of the rules established in virtue of that privilege, speak of a thing as done, which ought to have been done,) I mean always the pious and learned luminary

of our own Church, by whose grave and judicious estimates of men preferable, and things edible—I have in days of yore been edified at your lordship's table. Dr Frampton, in a word—who, were this a world for merit and reward to meet in, *would have been* Cardinal—would, I am sure, have confirmed my humble opinion of the importance of this subject by the sanction of his superior name, nor would his sympathetic feelings have disdained to descend so far from his high dignity as to lend his support to the humble request which, without farther preface, and having too just a sense of the value of a time which constitutes so valuable a portion of the national property, to seek to encroach upon it by long-winded digressions, I will venture to express.

“That bread is dear—that I have none of it to eat, nor have had for a course of years, are unhappy truths, none of which can be any secret to your lordship. In the meantime, as is the custom with people in distress, I endeavour to support my drooping spirits by the brightest prospect I can figure to myself of better times. I had once, may it please your lordship, a French cook, who quitted me with reluctance, and whom her importunities have prevailed on me to say, I would take her back again, should that Providence which supplied the late Dr Squintum, of reverend memory, with leg of mutton and turnips, vouchsafe, at some future period, to grant me anything to cook; in the meantime, I should be glad to send her out anywhere, where she could pick up a few crumbs of science, as a man who finds himself unable to maintain his horse in the stable the whole year round, is glad during a certain part of the year to pack off the beast to a salt-marsh, or a straw-yard. Your lordship's kitchen has ever been regarded by the best judges as one of the richest pastures in the kingdom for the sort of cattle I am speaking of: and could I be so fortunate as to obtain from your lordship's kindness, and from the patronage of your lordship's chief cook, free *ingress*, *egress*, and *regress* for the same, for, in, to, and upon the said pasture, during

the day, (for it is not necessary that she should be *levant* or *couchant* thereupon,) my present distresses might, by a happy metamorphosis, become the fruitful sources of future advantage. She is not altogether destitute of that measure of science attainable by the superiority of her sex, (a remark which I insert for the purpose of preventing this letter from straying into female hands,) and, upon great occasions, such as that of Comacho's wedding, or any other wedding, might not be altogether unworthy of supporting the train of one of your lordship's junior kitchen-maids.

“Should your lordship happen to possess interest enough, through any channel, however indirect, such as the one I have made bold to allude to, I will not permit myself to doubt of its being exerted in my favour, and with prevailing efficacy. In the utmost severity of my distresses, I have, through the kindness of neighbours, been preserved from absolute want in regard to all the necessaries of life, my baker and butcher having humanely joined with a compassionate barrow-woman, at the end of the lane, in supplying me, every Lord's-day, with a shoulder of mutton, supported upon a trivet, and forming a dripping canopy, distilling fatness over a mess of potatoes sufficiently ample to furnish satisfaction to the cravings of nature during the remainder of the week. Should some prosperous and scarce promisable turn in the wheel of fortune transform, at any time, the shoulder into a leg, and set the deep-rusted spit to retrace its once accustomed revolutions, what an addition would it be to my happiness, on some auspicious day, to present your lordship with the emanation of culinary science reflected from your lordship's kitchen, and offer an apposite, however inferior, tribute of gratitude on the board, as well as from the bosom, of one who has the honour to be, with everlasting respect, my lord, your lordship's most obedient and most humble servant,

“THE DISTRESSED OCCUPIER OF
“QUEEN SQUARE PLACE.

“P.S. Not a doit this Christmas from a noble lady. She has offered me a *pot*

de vin, Anglicè, a pot of beer, per favour of the Rev. Mr Debarry, but an unliquidated one, to let her off; and her project seems to be to starve me into compliance. But solvable tenants (solvent or no) are not let off for their *beaux yeux*, how *beaux* soever, when their turn is served, especially by impoverished heirs who could not make so much as legal interest, were it even regularly paid, for the money sunk by improvident ancestors.

"General Buckley, the landlord paramount, never lets me rest unless he has his pound of flesh the moment it is due; nor would my utmost distress now prevail upon him to wait as I have been made to wait, by noble ladies pleading their *beaux yeux*. I learn the baked shoulders must soon cease, unless some kind friend should whisper into one of the ears contiguous to the *beaux yeux*, not that necessity has *no* law, (for that would be worse than nothing,) but that necessity *has* law, and that John Doe has a long coach in waiting, into which he is ready, at a moment's warning, to hand any lady of his said mother's recommending to him, in one of his tours through Middlesex."

Dumont says, in a letter of 23d April, 1796 :—

"I must appeal from the air of England to the climate of Switzerland, in a lawsuit which, for the last four or five months, I have been carrying on with my malady. One of my sources of enjoyments will be your MSS., of which I shall make extracts for publication in the *Bibliothèque Britannique*, which is now managed by two very superior editors.

"If I lose the said lawsuit, you shall not be the worse for it. I have made all the necessary arrangements for the fit disposal of your works."

The following letter to Wilberforce, develops a project which Bentham had formed of endeavouring to use his influence in France, for the benevolent purpose of reëstablishing friendly relations with that country. Other than in Wilberforce's reply, I find no reference to the topic in any succeeding correspon-

dence.* A copy of the letter to Wilberforce was sent to Lord St Helens, whose answer follows it :—

BENTHAM TO WILLIAM WILBERFORCE.

"Q. S. P., Westminster,

"1st September, 1796.

"MY WORTHY FRIEND.—Extraordinary crises call for extraordinary measures; and may even throw a veil of gravity on what might otherwise appear ridiculous. Read the extract beneath: it may serve as a text to the *practical discourse* that follows it.

"Paris, 26th Thermidor, (13th August,)—Executive Directory—Public Audience of the 20th Thermidor, (7th August)—Extract from the Speech of M. Vincent Spinola, Envoy Extraordinary from the Republic of Genoa to that of France.

"... My fellow-citizens have cast their eyes upon *me*. They have thought that he who has so often had assurances of confidence from the *Representatives* and *Generals* of the *French Republic*, will have, Citizen Directors! some title to *yours*."

"Reply of the President of the Executive Directory to M. Spinola—concluding passage :—

"The Executive Directory sees with satisfaction, that the Genoese Government has chosen for its *representative* to the *French Republic*, a citizen who has *acquired* the *reputation* of being a friend to humanity, and to the *liberty* of *French Republicans*."

"Above, you see the *occasional cause* of an idea which, however whimsical, and whether practicable or no, proves at least to have something like a foundation in *precedent*, and *experience*. We must sooner or later have done fighting with *Pandemonium*: and upon that occasion may find it advisable to look out for some sort of a *candle* to hold to the *princes of the devils*. Waiving devils and candles, might it not contribute to smooth the approach to peace, if in the steps taken, whatever they may be, towards that end, use were made in

* It is casually alluded to in the Life of Wilberforce, vol. ii. p. 170.

some shape or other of some person, the choice of whom might, upon the strength of some *conspicuous* and *incontestable* attribute, stamped, as it were, upon his forehead, appear intended *purposely* as a *compliment* to *them*, and indicative of a disposition to *humour* and *flatter* them? Now, then, my good friend, where is that *sort* of person, the choice of whom for such a purpose, could be more likely to prove flattering to them than that of one of the *chosen few*, on whom they took it in their heads to confer that sublimest of all earthly honours, that highest of all degrees in the *climax* of *equality*, the title of *French Citizen*? Looking over the list, among the seventeen of which it is composed, I observe six British; and among those six, none but yourself and your humble servant, who are not *reputed* *Republicans*, unless it be your journeyman labourer in the Vineyard of the Slave Trade, Mr Clarkson, of whose sentiments in Constitutional matters I am not apprized. What say you, then, to an expedition to Paris upon occasion, properly dubbed and armed, not *à la J—n*, to *devour* the country; but *à la Wilberforce*, to *give peace* to it? The knight of Yorkshire at any rate—his *fellow-citizen*, if so please his knightship, in quality of his humble squire to keep his *armour* in order, and brush his shoes?

“As to *yourself*, every man, since *Thales* gave him the hint, *knows himself*, at least as much of himself as a man likes to know; and therefore of *yourself*, speaking to yourself, I need say nothing.

“As to your obscure and humble *would-be-follower*, who has the *prophet-like* property of being still more unknown in his *own* country than in the *next*, in addition to the grand article above spoken of, the following are the titles that might help to recommend him to an embrace of condescending *fraternity* from the five kings.

“1st. A sketch of the *Panopticon* plan, printed by order of *their second* Assembly, with a *letter* of mine before it: a sort of *certificate of Civism*, such as no other non-Frenchmen that I know of could display.

“2nd. An invitation in form, given

me here by *Talleyrand* in the name of the *Directory of the Department of Paris*, desiring the *Duc de la Rochefoucauld's* presidency to go and set up *Panopticons* of different sorts *there*. *Witnesses* at least, and, for aught I know, the *Minutes* are still in existence.

“3d. In *Brissot's*, as well as *Mirabeau's* periodicals, flaming eulogiums of some extracts of my papers on the *Judicial Establishment* which I sent to the first Assembly, (before they had taken to plundering, &c.,) and which the *Abbé Sieyès* (proverbial therefor jealousy and self-sufficiency) prevented, in spite of the endeavours of the *Duc de la Rochefoucauld*, *Brissot*, and others, (appearing in some measure from letters of theirs in my possession,) prevented, I say, from being translated and printed.

“4th. An acquaintance made in London with *Brissot* in the days of his obscurity and innocence, followed by marks of esteem and confidence on his part, widened by a *bundle of letters* of his, beginning 25th January, 1783, ending 6th November, 1790, relics of that *protomartyr*, which happen to remain unburnt, and which a noble Scotch worshipper of his is welcome at any time to kiss without a fee.

“*Brissot* used his endeavours afterwards to get me returned to the Convention, and (but for the instances of a friend of mine, who, happening to be there at the time, feared its drawing me into a scrape) was likely, as that friend afterwards told me, to have got my name added to those of *Payne* and *Priestley*. The whole business as perfectly strange to me, till months afterwards, as to the Pope of Rome. Don't let it mortify you too much, but *we three* (two P and a B) were made *grande*es of the first class,—set down *in petto* for Solons,—fenced off from the *gens en sous ordre* by a semicolon—an *impayable* semicolon! We being thus intrenched and enthroned, after us they let in a parcel of corn-consumers,—the *Wilberforces*, the *Washingtons*, *fortemque Gyan*, *fortemque Cloanthum*.

“Some friends of mine (*apropos* of *Brissot*) used often to be attacking me, in those early days, for having anything

to say to so poor a creature. My defence used to be, that he seems a quiet, good-humoured sort of man, and was of use to me in procuring books and literary information.

"5th. The business your Excellency would have to do, would consist principally, I suppose, in chaffering about colonies. As to this matter, while *vanity* would join with *duty* in engaging us both to strain every nerve in the endeavour to retain whatever you were intrusted to haggle for, the printed opinions of your humble second would give him that sort of advantage in point of *argument*, and afford him such a certificate of sincerity in the use of it, as can hardly be to be found elsewhere.

What the MINISTER says to you now, is no more than what the man said to you at the beginning—We are an infatuated people: YOU a wise one. Give us what we want, you see it will be no loss to you. In this point of view, at least, how much fitter a man with such opinions, than one who could never open his lips without impressing people with the importance of the *very* objects which it was his business to prevail upon them to give up!

"True it is, that were they to see an analysis I have by me of their favourite Declaration of Rights, there is not, perhaps, a being upon earth that would be less welcome to them than I could ever hope to be; but there it lies, with so many other papers that would be equally obnoxious to them, very quietly upon my shelf; and though no man can be more averse to *simulation*, even in the best cause, yet no man, according to my conception, is bound to suppress any ideas that he happens to have in common with those whom his business is to conciliate, still less to fling at their heads any that he happens to entertain in opposition to theirs, because no man is bound to get his head broke to no use. With these reserves, what renders everything of simulation the less necessary is, a general principle of human nature—a certain propensity we have, as often as we observe a man's ideas meeting our own in a prominent point or two—to jump at the like conclusion with regard

to all manner of other points. But of all people the most remarkable for their precipitancy in this way are surely the French. I met with a Frenchman once, whom nothing would persuade, that Priestley, whom he had been talking with, was not an *Atheist*, as well as himself; because they happened to agree on some points relative to *matter* and *free will*. Priestley foamed with rage at the imputation, but the Frenchman was not to be so taken in. Priestley, on his part, was even with him; for he would no more believe the Frenchman's *Atheism*, than the Frenchman his *Theism*. If you and I, their adopted brethren, with our recorded merits, were to go and shake hands with them, and call them fellow-citizens, we might say what we would,—for the first month at least,—they would no more believe it possible for us to 'honour the king' that sent us, than the man believed it possible for Priestley to 'fear God.'

"Were it to fall to their lot to send to us on a similar errand, who the messenger were, so long as there were nothing about him particularly offensive, would here, I believe, be regarded as a matter of very considerable indifference. But in their instance, the examples of the vent they give in this way to their humours, good or bad, are as abundant as they are notorious. This *Spinola*, and I believe many others, on the one side; on the other, Carlildé, the *Swedish Envoy*, whom they shut the door against to other day,—the *Pope's Nuntio*, and the *Sardinian Minister*, whom they sent packing, with others who might be found, I suppose, in plenty, if there were any use in it.

"Suppose them, on the other hand, applied to in the ordinary way—suppose them, in that case, refusing to treat with your great friend—suppose their insolence to rise to such a pitch (and to what pitch may not French insolence rise?)—would not his option be rather an awkward one?—to deprive the country of one of two things—the benefit of his services, or the blessings of peace? Would it not be a satisfaction to you, before the dilemma came upon him, to step in and save him from it? However

slight the danger on one hand—however *uncertain the efficacy* of the *prevention* on the other, yet the expedient being so simple, and so cheap, might it not be worth while to take the chance of it? Has not there been already an instance? *Tuscany*, I believe, (the events of the time succeed one another with such rapidity, that, without a particular call for attention, the impression vanishes.) Has not there been an instance of their actually *forcing a sovereign* to discard his principal minister? There is some difference, indeed, between *that country*, whatever it may have been, and this country, it is true; and thence comes the hope that, in our instance, they may satisfy themselves with the sort of complimentary (though an instance of mere common civility, and no more than what good breeding, joined to prudence, would dictate between man and man) *submission* proposed,—whereas, in the *other* instance, nothing short of dismissal could be accepted. There is the invasion too; and though, at the long run, I should not much expect that many who came over on that errand would get back again, unless by a cartel, yet, make the *best* of it, the *final destruction* on *one* side, would be but an indifferent compensation for the *intervening confusion* on the *other*.

“On an occasion like this, it is impossible for me to avoid thinking of an excellent friend of mine—an acquaintance of yours to boot—a veteran in the trade, and who, in these hard times, adds high dignity to great worth, without a morsel of bread. I need scarce say how absurd it would be for me to name myself in company with him, were it not for the above-mentioned *accidental peculiarities*, but for which I should as soon have thought of offering myself for the *command of an army* as for any such purpose as the present. On the supposition of *your* declining the business, I would black *his* shoes with as much fidelity as yours, and would black them literally rather than see him a sufferer by my means.

“Your *great friend*, were this to reach his eye or his ear, might smile; but there are times in which, for a chance,

how faint soever, of being of use, a man may be *excused for exposing himself to a smile*; and, if I may address myself to you, my good friend, as to a confessor, when looking round me, I observe those who, taken from a situation once *my own*, without any such marked though accidental recommendations, have given satisfaction in this *very* line, I fear not to say to myself—*ed io anchio*—I too am capable of going on an errand.

“Should the *general* idea happen to meet your approbation, make whatever you think best of it; nor let your friendship conceive, that, because it is from *me* that the suggestion happens to have come, there is any necessity of my having anything more to do with it. On the other hand, should I be supposed capable of being made useful, make use of me, in any way, without reserve. Believe me, with the truest respect and affection, yours ever.

“P.S.—In the papers of this very day, I read the following articles:—‘Times, Sept. 1st.—From the Paris Papers, Aug. 25–27.—Italy, Aug. 6.—The French, it is said, require the exclusion of the Chevalier Acton from the Ministry of the Court of Naples. Herald, Sept. 1.—From the Paris papers, Aug. 25–27.—Rome, July 27th.—The Chevalier Azzara was chosen by M. Miot, and Barbery was appointed to represent the Pope. But in the first day the conferences were broken up, and M. Azzara declared he would not treat with Barbery, whom he looked upon as one of the principal causes of the ruin of the State.’”

WILLIAM WILBERFORCE TO BENTHAM.

“Buxton, Saturday night,
“3d September, 1796.

“MY DEAR SIR,—My eyes smart sadly, so I must only reply in the mercantile style—‘received your letter, and note the contents.’

“There is much in what you urge, and I will turn it in my mind; but I doubt if anything can be made of it, for reasons which I should have no scruple to *tell* you, but which don’t care to *write*.

"You mention no more about your affair, than if no such thing had ever existed: it was wrong; because you might be sure I should wish to know the state of it. I hope, yet I fear to draw the inference, that all is at length well over. Farewell,—continue to think of me as of one who is, with every friendly wish, sincerely yours,

"W. W.

"P.S.—Do you in one part allude to Lord St H.? I have a reason for asking."

LORD ST HELENS TO BENTHAM.

"Bath, 10th September, 1796.

"Many thanks to you, my dear Sir, for your obliging communication of your epistle to Mr Wilberforce, which I have perused with much satisfaction and *relish*, it being perfectly in your own inimitable style of *cookery*, both as to flavour and seasoning. You may be assured that there is nothing whatsoever in your project that can exhibit you in the character of an intrigant, or in any other colours than your true and proper ones, of a most zealous and disinterested *Publicolist*. But, for the rest, though I am sincerely of opinion that, *quoad J. B.*, nobody ever could be better fitted than yourself for the commission in question, I must confess that I have my doubts whether your quality of French citizen, instead of adding to your recommendability as much as you seem to suppose, would not, on the contrary, be somewhat of a drawback. For though in ordinary times it is undoubtedly the part of a judicious Government to select, for its agents abroad, such persons as will probably be acceptable to the sovereigns to whom they are deputed; yet in the present circumstances, and considering the present humour of the French, it seems to me that a compliment of that sort would be wholly unseasonable; since it would be next to impossible to prevent its wearing the appearance of a most unworthy and degrading compliance with their arrogant and unwarrantable pretensions. You will perhaps make light of this scruple, and reply to it, by asking with the honest Llewellyn—What! because the

enemy is an ass, and a fool, and a prating coxcomb, is it meet, look you, that we should also be a fool, and an ass, and a prating coxcomb? I answer, most certainly not: but there is a wide difference between the imitating the extravagancies of an enemy, and the refusing to give way to them; and though I am ready to admit that, in the course of events, the circumstances of the two countries might be such as to warrant the French in imposing, and our Government in submitting to, highly disadvantageous terms of peace, with respect to territory, &c., yet I do aver, that no advantage of war could entitle them to interfere, in the slightest respect, in our domestic government; and that it would be our duty to resist any such pretension to the last gasp of our existence; and for this plain reason—that to submit to it, would be, in fact, to cease to exist as an independent nation. Accordingly, putting the case which you suppose, and which is, in truth, not unlikely to happen, that the French should require the dismissal of Mr Pitt, as they have required that of the King of Sardinia's minister the Comte de Hurteville, I am persuaded that the consequence would be a unanimous address of both Houses to His Majesty, praying him to continue Mr Pitt in office,—nay, more,—I have that opinion of Mr Fox's character, that I am more than half-inclined to believe that he would be the very man to move the resolution. There is, I own, a great deal of *ipse dixit* in all this, but I am the rather inclined to trust my own judgment upon the point in question, from my having had repeated occasion to observe that my feelings in matters of this kind, as compared with those of my countrymen in general, are much more apt to be under, than above, the standard *spirit-proof*.

"I must, moreover, assure you, that my objection as stated above, does not arise from any *jalousie de métier*; for, though I do not care to diminish the favourable opinion that you are pleased to entertain of me, by any over-frank confession; and though, if the commission in question were tendered to me, I should probably accept it; yet, I am quite cer-

tain, that I should be infinitely better pleased, both on the public account and on my own, to see it intrusted either to yourself or Mr Wilberforce.

"I am just arrived here from Bristol, where I have been partly to visit a sick friend, and partly to try to get rid of a troublesome cough which has been hanging upon me the whole summer. But those waters have done me no manner of service; and I have, in truth, but little reason to hope that these will be more efficacious, and I therefore propose returning in about a fortnight to town, where I hope to have the pleasure of finding you.

"Adieu, my dear Sir.—Ever faithfully yours,

"ST H."

BENTHAM TO LORD ST HELENS.

"Q. S. P., September, 1796.

"MY DEAR LORD.—Make yourself easy—no such tender will be made to you. The Ethiopian must have changed his skin, before anybody who is eminently fit for a business will be charged with it. Since, therefore, you will risk nothing by the promise, promise me, that if you go, you will take me with you; not as Secretary of Legation for the reasons that *you* mention, but without a title, character, and even for reasons that *I* will mention, without so much as my own name. My person, such as it is, has the honour to be sufficiently unknown to them; but my name in that conspicuous, and at the same time subordinate situation, might impregnate them with umbrage. An adopted French citizen, the third man in the universe, after a natural one, put under a vile aristocrat, a malignant, who bears the mark of malignancy upon his very name—a colleague and confederate of the *ci-devant* monarchy, a crony and support of the *ancien régime*!

French citizenship, no, never! My name is John Brown. I am sober and honest—capable of bringing a parcel from Paris to London, when it is made

up; and even of copying a letter if bid, after a little instruction from a master, though not a writing one. My business would be to make myself master of the freshest discoveries in French chemistry, and my amusement to pick up what political intelligence I could from your lordship's *maitre d'hôtel*, and principal valet-de-chambre.

"Your lordship's history of future contingents I admit to be correct as far as it goes; but my copy happens to have another page in it. The resolution was moved, carried, as yourself has it, by Mr Fox, (Mr Pitt being absent,) and carried without any dissentient in the lower house; and without any but Lord Stanhope's in the upper. Message from his majesty full of satisfaction, firmness, and dignity. But then next day came Mr Pitt with a speech, the most brilliant of any upon record, expressing in proud language, his humble, but unalterable resolution, on no consideration whatever, to stand between his country and the blessings of peace.

"As to the dukedom that he got, and the pensions and grants of land confirmed by parliament, and the cenotaph prepared for him by his father's side, with the most brilliant toasts of the speech sparkling in capitals on the pediment, are they not written in the chronicles of the kings of Johanni-aurinia?"

Bentham sent, in 1796, the following article to the *Morning Herald*:—

OBSERVATIONS ON THE TREASON BILL;†

By a Well-Wisher to the Object of it.

"The proposition assumed as the *principle* of the Bill, is, that the protection afforded by the laws in being to the person of the sovereign, and to the constitution of the realm, fails of being adequate to the purpose: to supply the deficiency is accordingly the *object* of the bill.

"Admitting the principle, and ap-

* Here there is a partly obliterated Latin quotation, which cannot be satisfactorily made out.

† This was the Bill which was passed into the Act of 36 Geo. III. c. 7, for defining the application of the law to those constructive treasons which had been raised by the courts of law on the statute of Edward. The phraseology attacked by Bentham is adopted from the old Act.

proving most cordially of the object, I will venture to hazard a few observations on the provisions of detail, by which that object is pursued.

“In many instances they appear to me to go *beside* the mark, tending, in appearance at least, to involve the innocent in the punishment, and, at any rate, in the terror, intended only for the guilty. In other instances, they appear to fall *short* of the mark, leaving, or even rendering the intended protection weak or inefficient. I proceed to the consideration of the several particular passages by which these general apprehensions have been suggested; and, in proportion as the several supposed defects present themselves, I shall take the liberty of proposing such alterations as appear calculated to afford the proper remedies.

“I. Sect. 1. Description of the treason—Words descriptive of the intentions respecting the person of the king. Among these words I find the word *imagine*—I would humbly propose to leave it out—I must confess myself to have a very near interest, indeed, in the omission—a personal interest of the highest nature. If to *imagine* the death of the king be treason, then am I a traitor—I, who am imagining it in the sole view and purpose of contributing to the prevention of it. Judges, jury, counsel, audience, all who contribute to, or are present at the trial of a traitor of the description in question, will be traitors. Who, in short, is there in the whole country that will not be a traitor? To *imagine* is to *figure* to one's self. There is no occult meaning, no Saxon, no Gothic, no Runic etymology in it. It is of Latin origin: we all know whence it comes. The verb to *imagine*, *imaginari*, is from the substantive *imago*, *image*. To *imagine* a transaction, is to raise up, or simply to contain the *image*, the picture of that transaction in one's mind. A man at this rate may be a traitor, not only without any fault, but without so much as any *action* whatever on his part. Under a clause thus worded, the case of the subject would be rather of the hardest; not only any man may of himself become a traitor, without his knowing anything of the matter, but any man may fasten

upon any other, and make a traitor of him in spite of his teeth. A man who, in obedience to his majesty's proclamation, should repair to a magistrate to give information of the villain who threw the stone, would, before his information was so much as completed, have planted the taint of treason in the bosom of the magistrate; for, in short, if a man will be talking to me about a plot, or anything else, how can I help *imagining* it? Not a human being in the country will be safe asleep any more than awake. If, in a dream, I imagine an assassin attacking the person of his majesty, and myself defending that sacred person, I am a traitor under this clause. *Dionysius* punished men as traitors for their dreams.—Is it really necessary to the preservation of his majesty, that he should be converted into a *Dionysius*?

“It was in hate, or in wrath, (I forget which, the difference is not great,) that the Psalmist, as he himself has the candour to confess, took upon him to say, “*All men are liars.*” May I venture to ask, whether the learned penner of this clause may not have been in a predicament a little similar to that of the Psalmist, when he took upon him thus to declare, “*All men shall be traitors?*” Laws made with pure and laudable intentions, directed to a laudable and important object, should not be made to go out of the way, for the mere purpose of putting on the language of an odious and useless tyranny.

“All this while, what I am perfectly aware of, and equally ready to admit, is, that in *common parlance*, (I mean common *legal* parlance,) the language of an act of Parliament, or other law instrument, is not, in the estimation of learned gentlemen, reputed *legal*, unless it contain a certain quantity of surplusage, composed of words which add nothing to the sense. But, with great submission, with all the submission becoming a man who has too long ceased to be learned to have any pretensions to that title, it is sufficient that the surplusage should not add anything to the sense intended; it is not necessary that, to the sense really intended by the authors of the measure, it should add

another sense, as odious to their feelings, as it is remote from their intentions.”*

Two specimens of epistolary communications, the first to Lord Lansdowne, the second to Miss F——, are remarkable for their oddity:—

THE GENEROUS FRIEND—A LINCOLN'S INN TALE.

From the Sentimental Chronicle.

“A friend of Citizen Romilly's, calling on him one day, and observing a cloud upon his brow, ventured to ask the cause. ‘The cause?’ (exclaimed the citizen, pointing to the lacerated back of Chamfort.) ‘See there, and tell me whether I can ever look Lord Lansdowne in the face again?’ The friend, in the handsomest manner imaginable, immediately offered to take the blame from off the shoulders of the citizen and set it upon his own, where it has been accordingly lying ever since.

THE MORAL.

“Generosity like this, does it not deserve to be—rewarded, I was going to say—I meant no more than to be rescued from infamy at least, to say nothing of oblivion? Ever since a certain speech, made in a certain house, it has been infamous not to have read the ‘Attorney's Guide,’ (not the ‘Guide to the Practice of the King's Bench,’ but) ‘to the History of Florence,’ and, at the same time impossible to obtain it—even to those who have money—a *fortiori* to those who have none. If then—some time within these two or three months—but the substance of an oration is sometimes contained in an expressive silence.”

“July 3.

“Mr Bentham begs of Miss F——, to commission Lord Lansdowne to acquaint Miss F—— that he, the afore-said Mr B., accepts with much acknowledgment, the favour to act upon the terms and conditions, and according to the true intent and meaning of the covenant proposed; *videlicet*, that, in pro-

per time, a meeting of all proper parties shall be holden at the proper, and only proper place, at which a proper and distinct judgment of the proficiency of the intended pupil can be formed—proper security being previously given, by all proper and necessary parties, against all treasons, treacheries, conspiracies, deceptions, impositions, snares, wiles, tricks, impostures, quirks, quibbles, equivocations, mental reservations, backslidings, tergiversations, and all other artifices, to wit, as well all and singular treasons, &c., set forth, and now remaining, &c., as of record, &c., in the Register Roll, &c., at Pixpowder Court, &c., in Albemarle Street, &c., entitled, *Liaisons Dangereuses*, as all other artifices, frauds, and contrivances whatsoever.

“Mr Bentham begs of Miss F—— to desire Lord Lansdowne, to return Miss F—— innumerable thanks for the many thanks with which she has been pleased to overpay a humble tribute of ancient respect, far short of being worthy of so rich and unexpected, and for so many years, not to say ages, unprecedented a reward.”

In the year 1827, Bentham gave me the following account of a project for facilitating reference to newspaper advertisements, entertained by him at this period:—

“It was about thirty years ago I was acquainted with an extraordinary man, named Skinner, a captain of marines, who, among other talents, had a talent for decyphering, which he possessed in perfection. I remember taking a passage from ‘Smith's Wealth of Nations,’ and inventing a new cipher for every line. He returned it to me written out the next day.

“My scheme was this: I considered that the number of advertisements was immense. No man had time to read every advertisement. The scheme was, to publish every day a paper, called ‘The Indicator,’ the object of which was to lead to the paper where the advertisement was, but not to give information enough without reference to the original paper. So I thought that, if it could be properly managed, the establishment of

* This paper was to have been “continued,” but no continuation has been found.

such a paper would be a grand affair. We went to work—found formulas. I do not know what came in the way, except that Skinner killed himself, after having lost his money by dabbling in the funds. He was a man of gentle manners—an extreme republican—who went beyond me in those days. He was violent and indiscriminate in all opposition to government. I remember he was hurt by the manner in which I spoke of Lord Lauderdale, whom I thought a very hubble-bubble, trumpery creature—in which opinion, early formed, I have been abundantly confirmed. The thing that cooled me was the knowledge that it could not go on without government. I mentioned it to George Rose, but he knew a peremptory refusal would meet any proposal of mine.”

In a letter to an acquaintance at Portsmouth, (Mr Lindegren,) Bentham gives an odd account of his abode at Hendon, (28th August, 1798):—

“Your eyes have never yet, I think, been blessed with a sight of this my absconding place. You would find, if you condescend to accept of it, bed as well as board, though in an old farmhouse, and in as homely a state as you could well conceive; yet, I hope, not absolutely in an uncomfortable one. Give me a day or two’s notice, for fear I should chance to be in London when you arrive; besides, that I might perhaps have papers to fetch from thence. The house is the first house you come to beyond the eighth mile-stone on the road through Hampstead to Mill Hill. The farmer’s name is Arnott.

“Why not in Q. S. P.? Because the papers that would be to be looked at, and the conversations they might give rise to, would require a clear day, undisturbed by some unpleasant ideas that would beset me there just now: besides that my dog’s hole here—the only one in which I am comfortable—is a country that you have never visited; nor does S. B. know anything of this, nor do I intend mentioning it to him, nor would I wish you to mention it to him, till I have seen or heard from you.

“As to time, don’t let me stand ac-

cused of making you injure your business to run a-gaping after what may turn out to be moonshine; but, notwithstanding all this mystery, you see enough of the business to be sensible, that what may be feasible to-day, may cease to be so to-morrow; I have seen so much reason to subscribe to the maxim *nothing comes of anything* that I could scarce wish you to come on purpose; but if you happen to be already in town, or to fancy a call to town, so much the better; and I flatter myself that, after so many unsocial months, you would not grudge eight miles for the sake of meeting the embraces of a friend who is not the less sensible to your persevering kindness, from his having said so little of it, and who can truly say, he has never remained unstung by the recollection of it for twelve hours together from the commencement of his experience of it.

“As to poor Panopticon, the Treasury have ordered in a bill, which has already been perused and approved of by the Attorney and Solicitor General, for the appropriation of Tothill Fields; and have, moreover, ordered to be given, in due time, certain notices which, in the case of an enclosure bill, (to which class that in question has been deemed to belong,) must be given before the month of September is at an end. For this I am indebted, I suppose, more or less, to a report of the Committee of Finance. It contains more than one text upon which I should have to preach to you.

“Remember me, with most cordial respect, to Mrs L. If I am destined ever to receive pleasure from society again, as heretofore, hers would be among the very first in which I should begin to look for it.”

Sir Reginald Pole Carew had put into Bentham’s hands his “Ideas on Financial Reform,” which led to the correspondence which follows:—

BENTHAM TO POLE CAREW.

“Hendon, Middlesex,
16th August, 1798.

“MY DEAR SIR,—Your Finance Papers are now sprawling out before

me in form, and have already afforded me very important information, which, I am satisfied, I could not have obtained from any other source. In testimony of the respect I feel for the work, as well as my wish not to be regarded as ungrateful by its author, behold, without further preface, the following offer: Say you will print it, together with my observations, and my observations shall be written: as to *names*, whether *both* shall appear or *neither*, or *one* and *which*, without the other, that shall be exactly as you please; but I must know before I write, whether my own part will appear or no, because, if it does, I must suppress a good deal of what I might otherwise insert: for example, what concerns your great man, of whom my sentiments are such as it would be neither prudent nor even decent to exhibit with my name. [Upon second thoughts, no use in any such personalities; they being all beside the purpose.] My observations might likewise be either in the form of a *perpetual commentary*, like Barbeyrac's on Puffendorf, or in a separate work: and this should also be as you pleased. Moreover, where we don't agree, I give you the last word. You engage not to leave out anything either of the text or of the observations on it: but you reply to the observations what you please, and it rests with you to put or not to put your own name. My copyright I sell to you for twelve copies, by which I shall make an exceeding good bargain; but I cannot afford to give you a better, because my own part, I am clear, would not pay the expense, and I have spent too much money in printing, to be able, in my present poverty, to spend any more. You are sensible how dry the subject is in itself,—an arrangement of this sort, by its singularity and whimsicality, might (to change the metaphor) help to give it *piquancy*. Perhaps as good a way as any would be to preserve, at first, an *incognito*, or at least a *half-incognito*: you would not be the less at liberty to take to yourself the whole or any part of it, according to events, in the original, or in a maturer shape. There is not a syllable in it that might not afford in-

struction; either in itself, or, at any rate, by means of what might be said on the other side. All that I should say of it, would of course be *against* it: for where everything is exactly as it should be, there is nothing more to be said. Observe that man (says Epictetus) who admires himself so much, and admires Chrysippus so much, for the commentary he has been writing on Chrysippus,—had Chrysippus been as clear as he might have been, where would have been the *commentary* and the *commentator*? What my malice can find to say against you, will not (I am sure it need not) inspire you with any very violent apprehension; where you appear to me to have *succeeded*, you appear to me (who, however, am very raw upon the subject) to stand *alone*; where you appear to me to *fail*, you appear to me to fail in very numerous and good company. But as I write nothing but in the humble hope of being of use, and in that hope should have bestowed upon some other subject whatever I may bestow upon this, it is on that account that I must stipulate that whatever I write, shall make its appearance; and, consequently, that whatever happens to be the *subject* of observation, shall appear also; for I have written so much, and to so little purpose, and have so little time left to write in, that I could not bring myself to write at all, what I knew beforehand would be to no purpose at all. To give you an example of one of those passages, which, perhaps, upon a second glance, you might be disposed to suppress, and which, therefore, for the instruction of the public, you must stand precluded from suppressing,—“*To suppose the contrary, would be to entertain notions repugnant to the grounds of all reason and common sense; and to minds so fraught, we can have no farther arguments to offer, but must content ourselves with reminding them that,*—*Billingsgaticè, if you are not of my way of thinking, G—d—m you for a stupid son of a bitch.* These are sallies which all men full of their subject are apt to run into,—few more apt than Mr Commentator. There is no supposition, however, in which they are not better

refrained from than run into,—for if there is *no* such son of a bitch, the thunderbolt has nobody to fall upon : and if there *is*, it neither tickles him nor stuns him, but puts him in a rage, and he throws it back again : unless it be here and there a quiet and timid young man, who, having felt an inclination for the prescribed opinion, is frightened out of it, and gives it up for fear of being thought a dunce by so great an author. What gave rise to these reflections was, the unfortunate consciousness of being as great a dunce as my supposed young man, though being old and obstinate not so obsequious an one.

“The proposition is, that if the portion of revenue at present appropriated to the buying up a proportionable part of the annuities which have been sold by Government, and which Government would otherwise have been bound to pay to individuals, was to be disappropriated and made applicable to the discharge of a further mass of annuities, which, it is proposed, should be sold by Government, and the payment charged upon this fund, the monied man would be as ready to lend his money upon the fund thus proposed to be *remortgaged*, as he is at present upon new and clear funds. Making the experiment on myself, this readiness is what I must confess I do not feel. So far from it, that were I to think of becoming a subscriber to what is called a new *loan*, i. e. a fresh mass of annuities offered to be granted, payable as usual, nominally, out of the produce of taxes to be imposed on the occasion and for the purpose, my view would be directed slightly, or rather not at all, toward that *particular* fund, but exclusively to the *general* fund at present standing *behind* them : satisfied as I am, and should be, that Government would never do any such unjust and impolitic thing as to stop payment of one part of the mass of annuities it has granted, for the mere purpose of buying up another. In this point of view, every portion of the mass of annuities which the Government buys up, seems to me an additional security for the payment of the rest. While this *general* fund subsists, every *fresh* and successive mass

of annuity, as well as every old and already existing one, has *two* securities to stand upon, viz. the *general* fund, which, in the case of a fresh annuity, a man thinks about, I suppose, more or less, and some *particular* one which, in the case of an old annuity, no man, I am sure, ever thinks anything about at all. Were it to be proposed to me to buy a fresh mass of annuities, and by way of security, were this general fund proposed to me and nothing more, my answer would be—*what you now offer me is a second mortgage upon an estate already in mortgage*,—whether I might not look upon the estate as capable of bearing this second charge is another question : but certainly I could never look upon the security offered to me on these *new* terms as equally ample with, much less as being more ample than, the security offered upon the hitherto *usual* terms : I could never look upon any *one* security by *itself*, as equally ample with that same security and another put together.

“You understand already, that as to the selling over again the annuities Government has bought up, (subject to the above *lien*,) it is what I cannot agree with you in : what concerns the suspending of further purchases of the same kind during the war, (leaving accordingly the funds allotted to that purpose to be applied to the current services of the year,) that is a question that remains for consideration. You have shown, and shown most clearly and effectually, to how great a disadvantage, in point of profit and loss, all such purchases are made. I am sorry to see that what we are obliged to raise in *present* money, we must pay so dearly for, if ever we do pay for it, in *future* money : but, heavy as the expense is, I really do not see how it can be avoided. The security, such as it is, is not by any means too great : many are the people who as it is (so I hear from auctioneers) sell out of the funds, where a man makes above 6 per cent., for the purpose of buying land that does not afford $3\frac{1}{2}$ per cent. ; and the very remarkably high price of land, in comparison of the price of Government

annuities at the present period, as compared with the close of the American war, seems to prove at once two things—viz., the superior plenty of money, and the superior want of confidence in the solvency of Government. In this view of the matter, I must confess I cannot so far join with you as to say of the *buying up plan* that from the first, *fieri non debuit*: but if I did, I could not forbear adding, *factum valet*: for if what has been thus bought up, were to be attempted to be resold, I cannot forbear thinking, that, (though I myself should not,) yet people in general would, regard the attempt as the first scene of an act of bankruptcy: to produce the contrary impression, does not appear to me to lie within the competence of the united powers of human reason and human eloquence. What you say about the monies being employed to more advantage in the hands of individuals than in those of Government, is true to a *certain extent*: but the extent to which it is true you have not as yet defined; though the defining it is a task that seems not only well worthy of your powers of investigation, but altogether indispensable for the purpose of your argument. For my own part I must confess I do not much expect to find it true to the extent in which it is necessary it should be true, for the purpose of that argument. The one thing needful is £10 every year in the Exchequer for every annuity of £10 sold. This Mr Pitt and you join in providing: but he adds £1 or £2 over, to provide against contingent deficiencies; and *that* increasing, to provide against the increasing *danger* of deficiency. This surplus you, instead of gathering it into the Exchequer, prefer leaving in the hands of the individual: concluding that, if left there, it will, somehow or other, go farther towards the payment of the annuities in question, or towards the satisfying the other demands of Government, than if taken into the hands of Government. But to produce this effect, I am afraid to say (for fear of your being angry with me, and saying I have misrepresented you) what requisites are necessary: the individual, instead of employing the greatest part

of the labour in question, (I should be apt to say, at random, *nine-tenths* at least,) in ministering to the purpose of present gratification, (extra eatables and drinkables, for example,) (in other words, *spending so much of the money*,) must employ the whole, or the greatest part, at least, in giving birth to instruments of future and durable gratification or use, (on *building*, for example, or *draining land*,) (in other words, *laying by so much of the money*;) and this stock of wealth, with its increase, (the house-rent, or additional land-rent, thus produced,) instead of employing on his own account, he must, (I am afraid to say it, but the purpose of the argument, I think, requires it,) he must pay into the Exchequer: and this track of unrelaxing good economy, (not to add *generosity*,) every individual in question must go on persevering in for the forty or forty-five years which you speak of, with a regularity as inviolate as that with which the portion of wealth in question would, if received into the Exchequer, have been applied to the buying up of the annuities granted by Government. What a man would be saved, by your system, from paying to the new taxes in question, he would, (it is true,) in the course of his expenditure, (whether *consumptive* or *productive*,) he *would* pay in *part* towards the *already existing* taxes: but this happily is but a *small* part: you yourself have stated it somewhere at about a *tenth*.

“Your disapprobation of the *triple assessment system* I join with you in; but this is quite a distinct measure, and, in point of argument, stands upon different grounds: grounds so different, that, according to my view of the matter, it would be for the advantage of both questions, to be consigned to different publications—that which concerns the *buying-up system*, though treated of in the best manner possible, and simplified to the utmost, would, of itself, be found more complicated than one would wish.

“But it is time I should have done: otherwise this, instead of a letter offering a dissertation, would be a dissertation of itself. My amanuensis is far advanced in the copying of your papers. When it is completed I will return them, with

some loose scrawl of my own in the margin, clapped down in pencil just as it occurred.

"Is there any other way in which I could contribute more towards the dissemination of your ideas, and the extraction of that truth which would alike be the object of us both? Shall I, too, sit down to inquire what is best to be done? Write an essay accordingly, and you a *critique* upon it? Writing more at leisure, and being arrived at a sort of method by hard labour, I should abstain from treading upon collateral topics with more rigour than you have done: but perhaps your wish is to make this work a vehicle for your sentiments upon other subjects: if so, strict unity of design would be unfavourable to your purpose. Society, especially society like yours, would animate me, and *might* inspire me with the exertion necessary: but without you I shall not meddle with a subject so remote from any of my former views: for I have neither heart to write nor money to publish of myself.

"Neither of these plans need supersede the other: except the having the same subject, nothing could be more different than the two works. The greater part of the topics you have introduced in your work would not appear in mine: mine, on the other hand, would present others, which do not occur in yours. But whichever may come out first would be referred to in the other; or if they come out together, then, by the help of cross references, each might serve to procure readers for the other. Your method would certainly be more agreeable to *some* readers, (I do believe to *most* readers;) mine, perhaps, to others: and what is odd enough, to yourself perhaps in the number.

"My aim in all this is neither more nor less than to second what I understand to be your wishes, as far as can be done, without prejudice to that sincerity, any departure from which would be more repugnant to them than any other part I could take. Those wishes are—to attract readers to the subject, by all lawful and honourable means. Among these means, *debate* is an article of approved efficacy, according to the

notions current among booksellers: what distinguishes the proposed debate from ordinary ones is, its being so purely amicable, and published—not the two sides of it by the respective parties, each with opposite views, but by one of them, for the furtherance of his own views, and yet with the consent and concurrence of his opponent. But this singularity, whether the parties be or be not known, (a point which I finish by leaving entirely to your choice,) would contribute (I imagine) rather to strengthen than weaken the attraction; rather to increase than diminish the number of readers. Converts I could neither promise you without breach of that sincerity, nor endeavour to procure for you without a breach of that probity, neither of which you would wish to see impaired in any man whom you honour with such a place in your friendship as you have given me. To do what may be in my power without any such breach—to help find you *readers*, has been *my* concern: to make them *converts* will be *yours*. In the *transport* inspired by the idea of a severe labour ended, and a great work achieved, you "*did not conceive it possible that he, (the author,) should be convicted of error in the conclusion.*" Should that persuasion have preserved itself, to the present period, in unabated force, it may inspire you with some apprehension for a friend whose temerity prompts him thus to raise his head against demonstration: but your friendship will suggest, on the other hand, that his address, though in a bad cause, may be trusted to for saving him from gross ignominy in his defeat: and, at the worst, the maxim, *volenti non fit injuria*, may serve to tranquillize your conscience. Whatever there may be of *badinage* in all this, there is not a syllable of *persiflage* which, from me to you, would be abominable. Whimsical as the offer may appear to you, gratitude was the source of it; and in *dropping* it, the golden rule, which is the foundation of Christian morality, has been my constant guide. If you doubt this, try me with a correspondent offer on the subject of the *Pauper Outline*. Scarce room to say that this comes from yours ever," &c.

POLE CAREW TO BENTHAM.

" *Antony House,*
" *3d September, 1798.*

" Ranks by threes! to the right about, wheel! Not one wet day in four weeks! The hours which have not been dedicated to my Troop, have been bestowed in giving shape and form to my garden—to increasing the grass of my fields, that we may be able to go on in paying the one per cents., over and above all the five, six, and seven per cents., that are, and must be required of us. It is not ingratitude, nor a want of a full sense of the value of your correspondence; but real fatigue of body, and incapacity of mind, which has been at grass with the body, that has prevented me from thanking you for two sheets and half of well-covered, I wished I could say *well-written*, paper. Do not mistake me, however; I have been digging in this mine from time to time ever since, and find nothing in it but gold;—but the labour of digging even for such metal is so great, that I have no difficulty in saying *imprimatur* to this, though I shudder at the very sound of the word when applied to any scrawl of mine. But to the point. When I took the liberty of requesting you to peruse my ill-digested labours, I relied upon your friendship, as well as upon your ability, to point out all their errors and imperfections, as well in point of matter as in style and management, being fully conscious, that in the present state of the work, it was wholly unfit to see the light; and being really unwilling to bestow any more labour of my own upon it, unless I could find a friend upon whose judgment I could rely, who would fairly tell me whether there was anything in it worthy of the light, and who, in the next place, would assist me in giving it that shape and form, which would best introduce it into the world. Many parts, I know full well, are extremely imperfect, and were merely thrown on paper to discharge my mind of them. Other parts are probably too obscurely treated, and require further elucidation. Some are, I believe, reflections of what has preceded. There is a

want of arrangement throughout, and no pretension to style in any part. But the subject has appeared to me to be of that importance, that I could not, with the opinions I entertained, help endeavouring to express them; but I am so tired of the work, that I should find great difficulty in any attempt to express them better, and I was in hopes, therefore, that your acuteness and taste would, if you thought the paper worthy of any attention, point out the defects and apply the remedy, that, if it was its fate to appear at all, it might appear in the best dress which I and my friend could give it. But having never yet exposed myself to public criticism, I should not for the first time wish to show myself like a bear, with a leader to point out the awkwardness of my gambols.

" I am persuaded that your object is to investigate the truth, and to render it triumphant, and not to expose your friend by the sallies of your wit; but I should very much fear, that as I have treated a very dry subject very drily, that the commentary alone would be read, and truth and the text be entirely hidden by your more attractive mantle.

" If the party were more equal, I agree with you that there would be piquancy in the exhibition of single combat. But you must first give me a better spear and shield, and a complete suit of armour, before I can descend into the arena with you. First render me invulnerable like yourself, and, for the amusement of bystanders, I should have no objection to breaking a lance with you; but even then I should never lift the beaver, but wish the inexperienced to remain the unknown knight.

" The first question with me, is, whether it is possible for any friendly aid to render my labours worthy of the public eye; and whether, when put into a better shape, they could be of any public use.

" Sure I am, that they are not fitting to appear without much of this aid; and I should despair of their making any useful impression, unless time were given for its being made previous to what the playfulness of your wit might successfully urge against the dryness of my argument.

"Louis the Fifteenth was so fond of play, that he would often give his courtiers money, to have the pleasure of winning it back again. Many a sturdy coal-heaver has given a man a guinea to fight him, for the satisfaction he took in threshing; but *you* must bribe higher, and give me a better opinion of my own dexterity, before I consent to be baited.

"Make me worthy of you—let it be Bentham *versus* Bentham, and we will then see what is to be done. I wish to be corrected before I am exposed;—you wish me to be exposed before I am corrected. But as I have never yet been accustomed to being *fleayed*, (is that English?) I should wince under the knife. Let me hear from you again; and believe me, yours very truly.

"P.S. I heard from Abbot some days ago. Nothing new in our way. My idleness has not yet thanked him."

"Mount Edgcombe,
"23d September, 1798.

"Rose is a perfect Daniel!

"How pleasant to see the darkness of error flying before the light of truth! It appears to me that you will be pressed and invited by the United Parishes, and United Chapter, to proceed with your plans: for the execution of which, the misery of the moment seems peculiarly favourable. Go on and prosper!—Yours most truly."

A letter from Patrick Colquhoun, (20th Oct., 1798,) mentions a circumstance strikingly exhibiting the growing value of land in the United States, even at that period.

"I found yours of the 18th on my table last night, on my return from Wapping, at a late hour, enclosing the papers relative to the American lands; but it escaped you to send the *large map*, delineating the spot where the lands are situated. Be so good as send me it as soon as you can. I am already deeply interested in American lands; I therefore want no more for myself. Those I have were acquired at an easy rate, although likely to be of value in time; and indeed, where a man has money to spare, *where the interest is*

not wanted, I do not know a more safe or profitable speculation. I gave £63,000 for a million of acres, more or less, near the same spot in New York, in 1791; and in 1797, the property sold and remaining was estimated at nearly a *million*, and producing an interest of £50,000 a-year, to those for whom I transacted the business. I do not mean to say this interest is regularly paid; but it is recoverable with the instalments of the purchase-money, and secured by mortgage on the land and improvements, and will be all good in process of time."

In the year 1798, and following years, an active correspondence was kept up between Bentham and Colquhoun, on various subjects of legislation. Colquhoun was the author of the well-known works on the Police of the Metropolis, and the Thames Police, and of other valuable statistical investigations. He was for some time in trade in Glasgow, and afterwards became one of the police judges of the metropolis. Of his integrity, skill, and general efficiency, Bentham formed a high opinion, frequently expressed in his works on Law Reform.* He had been engaged by government to report on the means of giving more efficiency to the police establishment of the metropolis; and, with Bentham's assistance, drew up various bills for the House of Commons. Of Colquhoun's merits, Bentham speaks highly in a letter to Charles Abbot (June 8, 1799.)

BENTHAM TO CHARLES ABBOT.†

"I write what occurs to me on the instant, without having seen anybody else.

"Is the Shadwell office adjacent to the river? I rather think *not*. If not, it surely never can answer the purpose in question. The marine police *is*. I have been there: nothing can exceed it in point of convenience.

"I should doubt whether the union of *ordinary* business, such as that of the Shadwell office with the actual and

* See particularly—observations on Sir Robert Peel's speech on the measure for raising the salaries of the police judges, vol. v. p. 335.

† By an inadvertency, the name has, in a few instances, been printed Abbott instead of Abbot.

proposed Thames police business, would be productive of advantage. In the Shadwell, as in the other police offices, the administrative part (I mean the management of the constables) is as nothing in comparison of the *judicial*. In the Thames Police-office, it is by far the greater of the two. If it succeeds to perfection, the judicial will be reduced to nothing. The intercourse and correspondence that, under the proposed bill, must be continually kept up between the justices and the proposed commissioners, is another source of appropriate occupation, and another circumstance that contributes to take the case out of that of an ordinary police office.

"Transferring the Shadwell office to the Marine Police-office, means, I presume, the dismissing the present Marine Police Magistrates, and putting present Shadwell ones in their room. This, I imagine, would be found incompatible with the *prevention* branch, which is the characteristic branch of the proposed system. I mean the extended organization and management of the River Guards. It was by Mr Colquhoun that this branch of the system was proposed and planned: it was on the personal confidence reposed in him by the parties interested, and by whom the whole of the expense of this branch has been defrayed, that the adoption of it was grounded. I have some reason for thinking, that if he were to withdraw his co-operation from it, the merchants would withdraw from it their confidence and their purse.

"Whatever intentions may have been entertained by somebody or other, of doing something or other, at some time or other, *he* is, in point of fact, the creator, and the sole creator of everything that *has* been done. His services have been gratuitous—that they should be so, was a condition *sine quâ non* of the offer which he made of them. He has fed the establishment out of his own pocket, over and over again—to save it from that dissolution to which official inertness would have condemned it. He has toiled at it, days and weeks together, from ten to fourteen hours in the day: he has sitten at it to be shot at, and has been

shot at, and seen a man put to death by his side. Who the present Shadwell magistrates are, or what they are, I am altogether ignorant; but be they what they may, would it be consistent with common generosity (if it were practicable) to discard a man so circumstanced; and to put a set of strangers to reap the fruit of what he has sown?—I mean in point of honour: for that is the only fruit the field affords—but is it of no value?

"The appropriate information necessary to the due performance of such a business, seems to require two particular branches of experience: experience in mercantile affairs, and experience in nautical affairs.

"The first, he himself possesses in a very eminent degree: the assistant he chose (an ancient lieutenant in the East India service) possesses the second.

"Are both, or either of these requisites to be found in equal proportion among the Shadwell Justices?

"Towards giving support in the public opinion to a new establishment, there is something in character and celebrity.

"Of Mr Colquhoun's book on the Police, 7500 copies have been sold—the fifth edition (2000) being just exhausted. It is upon his plans and opinions that the Report of the Finance Committee is principally and professedly grounded. Is there anything of this sort to be met with among the Shadwell Justices?

"A good deal more might have been said on this subject—even by *me*: I have scarce read it over. Send it me back when you have read it, and you shall have it again at any time.

"Your injunctions shall be punctually observed."

As a specimen of a convenient plan of circulating, among members of Parliament and others, concise and comprehensive knowledge of intended legislation, I give a summary view of Colquhoun's, or rather his own, bill, for the more effectual prevention of depredations on the River Thames, as drawn up by Bentham:—

"The *Bumboat Act* (2 Geo. III. c. 28) was passed in 1762:—Nothing was done under it for about fourteen years.

The present temporary *Marine Police-office* had no other special ground for its proceedings than that act, which, though *conducive* to its object as far as it goes, has been shown, by a twelve-month's experience, to be far indeed from *adequate*. What the *Act* contributes, is confined to *penalties* and *legal powers*. The *Office* furnishes *civil Guards*, properly equipped and armed, for the execution of those powers. The expense of these *Guards* being defrayed exclusively by a single branch of the trade, (*viz.* the *West India*,) out of twenty-eight, and more that may be distinguished, the *immediate* effects of the protection afforded by them, have, of course, been confined to that single branch of trade.

“To substitute, to this *scanty* and *occasional detachment*, a more *permanent*, as well as *stronger* force, commensurate, in point of *numbers* as well as *funds*, to the extent of the demand as furnished by the whole *Trade*, (not to speak of *his Majesty's* floating property,) is *one* main object of this *Bill*:—to give the requisite extension to those penalties and those powers, is *the other*. From what *has been* done by the one, with such *in-adequate* means, as well as under numerous disadvantages, what *would be* done with *adequate* means, *legal* as well as *pecuniary*, may be inferred.

“In proportion as *the following sketch* is *summary*, the wording could not but be *loose*; but in the *Bill itself*, nothing can exceed, in point of anxiety, the care that has been taken for the security of innocence, and for divesting power of the faculty of abuse.

“If explanations of the *grounds* of the *Bill*, in point of *reason* and *experience*, be desired, they may be found, in a degree of detail rather beyond what is *most* customary, in the *Preambles* by which several of the *Sections* are introduced.

I. GENERAL PREAMBLE.—Power to his Majesty to establish a Police Office, at or near Wapping New Stairs, under the name of the THAMES POLICE-OFFICE. Three Justices, (two of them to sit constantly,) with *special powers* herein-after mention-

ed, under the name of *Special Justices*, (§ 1.) Provisions of the existing Police-Act, (32 George III. c. 53,) extended, as far as applicable, to this Office. (§ 2.)

II. Power to Special Justices to appoint, suspend, and dismiss, divers sets of Constables, *viz.*: 1. *Office-Constables* for *Land-service*, (as in the existing Police-offices. (§ 3.) 2. *Boat-Constables*, for patrolling the River in boats. 3. *Ship-Constables*, to be attached to ships during the unloading, &c., on application by persons interested. 4. *Surveyors*, with the powers of Constables, for inspecting and directing the other Constables. Power to the *Lord Mayor and Aldermen*, as also to the *Trinity House*, to dismiss any of these Constables. (§ 3 & 4.)

III. For defraying all such expenses of the Establishment, as are over and above the expenses of the other Police Offices, (the Fund for that purpose being distinguished by the Name of the *Office Fund*;) a peculiar Fund, under the Name of the *Thames Police Guard Fund*; to be raised by a set of *Tonnage Duties*, imposed on the several classes of persons benefited, in specified proportions, adjusted to the several degrees of benefit. (§ 5, 9, 10, 11.) Payment secured, by refusal of *Clearance* until a proper *Certificate* of payment be produced. (§ 14.) Sum raised, not to exceed £10,000 per annum, but to be reducible to any amount. (§ 9.) For this, and other purposes, a set of Commissioners, termed the *Thames Police Fund Commissioners*, to be chosen, one out of each of about 28 classes, of persons contributing to the Fund. (§ 5, 6.) Organization of the body of Commissioners—Provision for ensuring the attendance of different numbers, competent to different purposes—Meetings, general and special. Adjournments—Quorums sufficient—Chairman—Casting Votes. (§ 7.)—*Vacant* seats to be filled up by the Commissioners themselves, out of the class in which the vacancy takes place. (§ 8.) For necessary supplies, Meetings may be called by the *Special Justices*. (§ 13.) Powers for appointing Subordinates, *viz.*: *Collector*, *Treasurer*, *Cashier*, and *Auditors*; the *Auditors* out of their own number, and unpaid—Powers to *Auditors* for examining upon Oath. (§ 12.)—For manifest unfitness, a Commissioner may be *suspended* by his brethren; and, on their representation, *dismissed* by King in Council. (§ 51.)

IV. Provisions for securing the good behaviour of *Working Lumpers*, (labourers employed in the loading and unloading of Ships,) and their *Masters*.—The *Master Lumpers* not to act without a *licence* granted by the above Commissioners, or the *Special Justices*.—Licence discretionary, as in case of *Ale-houses*. (§ 15.) *Working Lumpers*,

not without being *registered*—(§ 16.) Working Lumpers, *quitting work*, punishable as other labourers are, under 6 Geo. II. c. 25. (§ 18.) Power to Commissioners to make regulations for the government of Lumpers. (§ 19.) Lumpers' *Contracts*, as particularized under heads, to be *registered* at the Office, for the purpose of ascertaining the *conditions* of the engagement, thereby *preventing disputes*, and rendering the parties *responsible* and *forthcoming*. (§ 20.) Special Justices to be furnished with the names and abodes of the Lumpers employed on board each Ship; as also of the Coopers, Watermen, and Lightermen. (§ 21.)

V. Power to Commissioners for making certain regulations relative to *apparel*, by prohibiting habiliments contrived (as at present) for secreting plunder; and for establishing distinctions visible at a distance, between persons *having business* on the spot, and persons *not having business*; and between persons *in authority*, and persons *not in authority*. (§ 17.)

VI. Provisions specially applied to *Ships*.—Ship-Constables to be stationed by the Special Justices, on certain terms, at the instance of Owners or Consignees. (§ 23.) No Person to be *charged for* as a Watchman, who has not been *sworn in* as a Ship-Constable:—Any *fit person* recommended by the Ship's Husband, *shall* be made a Ship-Constable. (§ 48.) Powers to the above Surveyors, for *visiting Ships*, *directing* the Ship-Constables, and *inspecting* the conduct of Lumpers, Coopers, &c. (§ 24.) Ship-Master to keep fastened up all the avenues to the Hold, but one; and that too, when goods are not discharging. (§ 22.) Powers to the Ship-Masters and Master-Lumpers for searching *Working Lumpers*: Master-Lumpers bound so to do, under a penalty, besides responsibility for specific loss. (§ 25.) Powers to Commissioners, at the instance of Owners and Consignees, to appoint *Ship-Inspectors* for *saving spillings, drainings, &c.*, and thereby *preventing wilful waste*. (§ 31.)—General Powers to Commissioners to make regulations relative to the shipping, unloading, landing, warehousing, and sampling goods, for the prevention of *waste, accident, and depredation*. Power to King in Council, at the instance of the Lord Mayor and Aldermen, the Treasury Board, or the Board of Customs, to *annul* such regulations. (§ 49.)

VII. Provisions specially applied to *Wharfs and Warehouses*, in respect to *landing, removing, sampling, &c.*—Powers to the Commissioners, for appointing *Wharf Inspectors*, with the powers of Constables; also, at the instance of Owners and Consignees, *Warehouse Inspectors*. (§ 30.) Slight penalty, inflictible by summary

procedure, for *injuring packages*, and *letting out their contents*, for the purpose of *profiting by the waste*. (§ 28.)

VIII. Provisions authorizing *slight penalties*, inflictible by summary procedure, on *circumstantial evidence*, aided by the *examination* of the delinquent, (as under the *Bumboat Act*, and *Stolen-Metal Act*,) where, on *regular proof*, it would be *felony*; and for attaching [punishment] upon the practice of *depredation*, in such stages of its progress, as are *previous or subsequent* to the felonious act.—Misdemeanour to have *concealed Instruments* for drawing off Liquors. (§ 52.) Misdemeanour to throw goods *overboard* to prevent discovery:—when it is from a *boat*, Power for apprehending the *crew*. (§ 34.)

IX. Powers of search, seizure, and arrest, exerciseable *on View*, on suspicion of petty thefts committed in ships, lighters, boats, &c., landing places, and warehouses. The offence punishable, as a misdemeanour, with a slight penalty, as above. (§ 33.)

X. Powers of search, &c., *on oath of suspicion*, at a supposed Receiver's. The offence, in default of *regular proof*, punishable as a *misdemeanour*.—The *Bumboat Act* amended in this behalf. (§ 33, 43.) Powers for tracing suspected goods through any *number of hands*;—another amendment of the *Bumboat Act*. (§ 37.) Penalty for fabricating false *Bills of Parcels*, to cover suspected goods. (§ 36.) *Receivers*, not *authorized* merely, but *bound*, (under a slight penalty,) to *stop persons bringing* (ship) goods to them, under *suspicious circumstances*. (§ 38.) To render the criminal intercourse dangerous on *both sides*, indemnity to *Thieves* convicting *Receivers* of felony or misdemeanour, as the case may be. (§ 39.)

XI. Provision for preventing the carrying off entire *lighters* with their cargoes, (a frequent offence).—Commissioners may appoint *Tickets*, the want of which shall be a ground of *suspicion*, warranting Constables to search, &c., a Lighter navigated at *suspicious hours*. (§ 27.)

XII. Special Provision in regard to *Coals*.—Misdemeanour to carry off Coals from Ships, &c., otherwise than in the course of trade; or to suffer them to be carried off. (This, besides theft, prevents Coal-heavers from being paid in Coals, at the expense of the duty.) Powers of Arrest, &c. (§ 26.)

XIII. Provisions for *preventing obstruction*, and *ensuring assistance* to the execution of the law in this behalf.—Penalty for *suppression of evidence*—or other obstruction. *Severe Penalty*, if with force. (§ 44.)—Penalties for destroying or injuring Office-boats. (§ 45.)—Persons *in general* bound to assist Constables, not only *on command*,

but, in case of need, *without* command. (§ 42.)

XIV. Penalties, and application thereof. (§ 40.) Procedure summary; no appeal, nor certiorari. (§ 41.)

XV. Further amendments of the Bumboat Act.—Offences against *that* Act punishable either *as such*, or *as against this* Act. (§ 46.) Boats, which, under that Act, are *destroyed*, may either be destroyed; or sold, or restored, on *terms*. (§ 43.) *Misdemeanours*, which, under that Act, are offences transportable for 14 years, deemed *felonies*;—that the *procedure* may be *prompt*, as in felonies, instead of *dilatory*, as in misdemeanours. (§ 46.)

XVI. Formal Clauses.—*London Privileges saved*.—Limitation of Actions.—General Issue.—Treble Costs.—This a Public Act. (§ 52, 53.)—Duration limited to *Three Years*."

On the subject of the Marine Police Bill, the letters which follow are instructive, as showing the manner in which the public business was conducted:—

W. WICKHAM TO CHARLES ABBOT.

"*Whitehall, 5th June, 1799.*

"MY DEAR SIR,—Government has no other objection to the Bill you mention being brought forward immediately, but the wish to bring forward a general improved plan of Police for the Metropolis at one and the same time, with which it is apprehended that any partial project might interfere.

"It is this apprehension that has induced Mr Pitt to promise the sum of £2000 a-year in aid of the Marine Police Establishment, in addition to the purse, whatever it may be, furnished by the West India Merchants. This sum exceeds by £1460 what was originally promised to be paid by Government: I am inclined to think that Mr Pitt would grant a still larger sum, if necessary, rather than go to Parliament with any Plan, that should be confined to this Establishment alone; at the same time, I have every reason to believe that both Mr Pitt and the Duke of Portland are as persuaded, as the merchants can be, that the greatest utility may be, and has been already derived from it.

"You are no doubt aware that this very thing was in contemplation when a seventh office (*viz.* that of Shadwell) was

added to the six originally intended to have been established by Mr Burton's very excellent Bill, and I have not the least hesitation in saying, as well from my thorough knowledge of the system itself, as of several of the very excellent magistrates who now conduct it, that every benefit holden out by the new office might have been acquired, if the merchants had contributed from their own funds to the Shadwell office, the money they have furnished to the new one, and I most entirely agree with you on the principle of justice to Mr Burton, and the magistrates who have acted under his Bill, if for no other reason, that either the Shadwell office ought to be transferred to the Marine Police-office, or the M. P. O. to Shadwell, either of which may be done, as I conceive, by Mr Burton's Bill.

"The Shadwell office cannot be transferred elsewhere, because there is really no want of any *more* Police offices in London; nor will it, I conceive, be either just, fair, or wise, to abolish it altogether, because it did not do what really it had not the means of doing.

"Believe me ever, with the sincerest esteem and regard, my dear Sir, most faithfully yours."

BENTHAM TO CHARLES ABBOT.

"*18th June, 1799.*

"I send you a printed paper which, by a great effort, I drew up, that it might supersede a quantity of loose, incorrect, quackish stuff, which I found might raise a dust of objections. Copies of this matter of mine are circulating by Colquhoun to other people, and amongst others to Wilberforce, who has promised his assistance with Pitt, &c.

"In the account of the House of Commons' proceedings to-day, I saw, much to my surprise, that the *Globe Insurance Company* project has already got the length of a bill moved for in the House. Probably you received it through other channels,—but should you not, I send you the only copy I have of a paper on the subject, sent me by Sir T. Eden,—also his letter, if I can lay my hands on it. I am not certain whether I ever sent you No. 34 of my papers on

the Poor, printed in Young's Annals. I send one now; if you have it already, return it, not to break a *set*. In the note to page 181, you will find my objections to all Life, &c., Insurance projects, founded upon such inadequate data as are yet in existence. The Foreign and City Bank, the only part of the Globe project which has any pretension to novelty, is founded, *name*, as well as *thing*, upon these papers of mine, to which the Globe project, as you will see, gives a reference; yet, on turning to those papers, you will see how anxious I have been to represent all such institutions as being (until the attainment of the necessary data alluded to) premature. Sir J. Anderson, I observe presenting a petition against the project, from an existing Insurance Company. He has not, I doubt, a head for comprehending either the *pro* or *con* of such a business. If your time admit, I should be glad if you would look into it; and if you should join with me in looking upon the present period as premature, he would of course deem himself fortunate in your support. The odd thing is, that in a business which requires so much maturation and discussion, *Pitt* should have dashed in at this late period of the session, with a temerity which can only be equalled by that displayed by him on the subject of his Poor Bill. Without opposing the thing in principle, there seems to be the highest ground for opposing it on point of time.

"A few copies, if, on this occasion, they can be employed with any prospect of effect, are at your command.

"In my answer, I sent the No. he desired: but, as to joining him, I was silent—speaking only of momentary haste. Spirits, either for joining or opposing, are, as you may well imagine, altogether wanting. If you have no use for this, you may as well forward it to S. B. likewise; but it is quite immaterial. If you have franking-liberty to spare, frank one of the duplicates of this Summary View, as well as the Globe papers to S. B.*—If not, return them, and I will send them by the Admiralty."

* "Portsmouth Dock—direction sufficient."

CHARLES ABBOT TO BENTHAM.

"19th June, 1799.

"I think your Summary View of the Thames Bill very useful as a *bre-viate*, and I wish all the use was made of it which it deserves; but I hear nothing.

"Upon this, as upon other such matters, the Treasury and I are not likely to have much coöperation, as they made a direct attack upon me yesterday—in which I neither think them just nor wise.

"I have sent your papers to the General. The obvious reason for the favour to the Globe Insurance project is, the engagement to buy up land-tax.

"I keep the *sketches*, and *thank* you."

BENTHAM TO GEORGE ROSE.

"19th June 1799.

"A Bill, I see, is brought in for the establishment of a company, under the name of the Globe Insurance Company. According to a paper I have received from a gentleman who seems to have been a principal promoter of the scheme, it appears, that whatever there is of originality in it, is in substance and even in name (see Foreign and City Bank) taken from a printed paper of mine herewith enclosed.* I am speaking of what is styled, in that paper as well as mine, a Frugality Bank. My endeavour has been to draw a circle round the subject; a circle within the which, amongst other things, whatever concerns *Friendly Societies* should be comprised. I should be sorry to think that anything of mine should have had the effect of giving birth to an institution that might at any time be found to merit the appellation of a bubble: in the note to p. 181 may be seen the reasons I have for being apprehensive lest *any pecuniary engagements, depending upon rates of vitality*, stand exposed to this danger, and must remain exposed to it till the *data* therein spoken of shall have been provided.

"A paper herewith sent, you will find marked No. IV., those of which it is a

* One of the Papers on Pauper Management inserted in the Annals of Agriculture; see vol. viii. of the works, p. 409 *et seq.*

continuation, were sent to you as they came out. The present one would have followed them long ago; but to get it up, or even to send it, required exertion—a faculty which, together with so many other faculties is suspended in me, if not destroyed, by causes of which you are not altogether unapprized. Taken together, my papers might perhaps be found to show that anything of this sort is but an ineffectual scrap of a perfectly effectual whole. I have the honour to be, &c.”

BENTHAM TO WILLIAM WILBERFORCE.

“20th June, 1799.

“The enclosed (the letter to Rose) was on the point of being sent as addressed; but the suggested vindictiveness, and the experienced irascibility and abusiveness of the person addressed, has stayed my hand.

“If you think it *safe*, do me the favour to forward it; if *unsafe*, to return it.

“Capital, £500,000. This capital is, in a trice, to produce a net profit of *double* the amount—£1,000,000. Of this £1,000,000, £700,000 is to be employed in buying up the Land Tax. Such is the plan, upon recollection, of which Mr Pitt, according to the papers, declared his patronage in the House!”

BENTHAM TO CHARLES ABBOT.

“26th June, 1799.

“Colquhoun has just been giving me an account of a conversation he has been having with Dundas on the subject of the R[iver] P[olice] Bill, whose reception was very cordial. Dundas blamed the D. of P. for not having communicated the matter to him before: saying, that it was Secretary of State’s work; and that as he was the only Secretary of State in the House of Commons, it was for *him* to bring it in, which, had it been mentioned to him time enough, he would have done—blamed the D. and Pitt for retarding this simple and independent measure, on account of their complicated plan of police, with which it would not interfere—said, that he would take the bill in hand, and, at the commencement of the next Session, move to bring it in.

“(N.B.—His knowledge of it, at this time, must have been superficial; he had not seen the ‘Summary View,’—much less the bill itself. Nor did he appear to have considered the circumstances belonging to it, which render it a sort of private bill—the question of it being *local*, and the fund raised by a limited denomination of persons—nor did your name appear to have been mentioned upon that occasion.)

“My observation was—that if this were to be the case, and Dundas were to bring it in, it would be very unhand-some and ungrateful behaviour towards you, who had been applied to in that public manner—had acceded to that application—had taken the pains to make yourself master of the bill—and had taken upon yourself the responsibility of it. The observation was instantaneous, and the reply was equally so, viz. that nothing could be more just; and that he should intimate as much to the merchants, that they might make their application for you to bring it in, (as before, only not till next Session,) and for Dundas to second it.

“Colquhoun is in high luck, as well as high favour, with Dundas. Dundas takes for his private secretary, Colquhoun’s son, a boy of nineteen, who, at that age, is already become a semi-Garthshore, whose quondam department is thus split—I forget in what particular way and who had the other half.

“You seem too ready to quarrel with Gog and Magog, considering the majority they have got you for your manufacture of corrupted blood out of the dregs of grimgibber, or even suffered you to get, which would be still more honourable. These supposed enemies have dealt much better with you, than you would have been dealt with by one who, as far as wishes go, may boldly rank himself among your best friends. He admits that there is as much reason for it now as ever there was—but further he goeth not.

“As to your janglings with the two supporters of the mammon of unrighteousness, (which I hear only from you and another, for the papers that I see report nothing about them,) Wilson

construes it into collusion: if everybody else put the same construction upon it, it would not be so much the worse.

"When you have got the *Jacobins* put upon the footing of the *Jacobites*, (which I have not the smallest objection to,) would it satisfy you—could you bring yourself, upon some future occasion, to pick out the innocent from both of them? This might, I think, be done effectually enough: the misfortune is, that in *words* it would be a complicated provision, in comparison of the existing manufacture of corrupted blood, which in *words* (at which learned gentlemen usually stop) is as simple a thing as can be desired, but which, if followed up along the convolutions it makes in applying itself to particular cases, spins itself into a chaos without end. '*Father forgive them, for they know not what they do.*' You have the benefit of this prayer—and God bless you with it. *Cui bono* all this? quoth C. A. especially at *this* stage. Answer—not *before*, because not desired, and therefore would have been of no use. *Now* that it may be seen, that there are two equally honest, and yet opposite ways of seeing the same thing,—and that where friends condemn, supposed adversaries may be borne with, where they appear to hesitate.

"I have not looked at this stuff these twenty years; but there used to be a something in it that the king himself can never pardon, although persuasion of innocence after conviction (perhaps from subsequent lights) is as common a ground as any (and the best ground) for pardon.

"Do you bar settlements? If not, the crime you punish is, not the committing treason, but the *omitting* to make a settlement. Do you corrupt *personal blood*, as well as *real blood*? If not, the crime you punish is, not the committing treason, but the having one's property in a real shape, instead of a personal one. Do you reach the future Thellusson with his eighteen millions of consols?—the *single* Thellusson who will have stuff enough in time to make half-a-dozen *Dukes of Orleans*.

"Tempora mutantur—sed non mutamur in illis.

"But, per Hawkins Browne, (as per newspapers,) there is no reason in the distinction between innocent and guilty—it is all a '*prejudice*,'—and as we kill the innocent with the guilty when we can't help it, why not when we *can* help it?

"Forgive this dotage, which, when I took up the pen, I little thought of launching into. When you were singing *Arma virumque cano* in the fourth form, *this* was the order of the day with me.

"It was not four years ago when I proposed to you (I remember) to take away the license given to a man, by a Jacobite parliament of King William's days, to commit treason in the presence of any one other man at his choice:—you thought it *too strong* to be attempted, or even (I believe) to be *wished*.

"Remember the tale of the camel and gnat—The verse is not good—but th' allusion is pat.

"Send this on to S. B., pray. It will divert him, though it won't convert you."

Valuable suggestions are thrown out by Bentham in a paper entitled, *Hints towards a Plan for new-modelling the Magistracy for Westminster*, which, I believe, *has never been before published*:—

Integrity is certainly one very important qualification in a magistrate; but *activity* is another. It is a misfortune that the different means calculated to ensure these different qualifications should unavoidably, in some degree, counteract each other.

When much trouble is taken, some recompense must be given. The difficulty is, so to connect the recompense with labour, that the former shall serve, as a sufficient motive for exerting the latter to all good purposes, without serving, at the same time, as a motive for exerting it to bad ones.

That mode of recompensing which annexes the emoluments separately to each article of service done, to each instance of authority exerted, is attended with this disadvantage: that by tempting them to multiply, as far as it is in their power, (and it is to a great degree in their power,) the *occasions* of exerting it, it is a *snare* to their integrity. In this way, they have an interest given them in *making business*; in employing their *activity* to other purposes than the interests of justice may require. But on the other hand, the other mode of recompensing, which annexes the emoluments to the exercise of the authority in gross, in the form of a stated salary, is very deficient in its operation as a spur to their activity. A stated salary is indeed a motive to a man to take

upon him the authority, (which is, in truth, no more than what the dignity annexed to that authority might of itself be a sufficient motive to,) but is no motive to the exerting of it in any given instance. Recompense, to be a spur to labour, must keep pace with labour. When the reward is the same for doing little, as for doing much, the indolence or other seducements attendant, in a greater or less degree, on every man, give them more or less an interest in evading business.

It must, however, be acknowledged, that the appointment of stated seasons of attendance, at which the magistrate should be bound to be in readiness, business or no business, would go a great way in obviating the danger of inactivity, and that the plan of rewarding by settled salaries would be rendered by this means considerably preferable, upon the whole, to that of rewarding by occasional fees of office. When a man is on the spot, or obliged to be on the spot for a certain time, when the chain that drew him aside to his particular pleasures, or particular business, is necessarily broken, it is as easy for him to apply as not: he may as well do the business he goes there to do, as do nothing.

The settled mode of recompense succeeds, we see, to admiration, in the instance of men in the first rank of magistracy, who have an ample salary, and a high dignity at stake: and who have the eyes of the whole public, and particularly of their own critical and intelligent profession fixed on them, to detect any instance of neglect, and the mouth of the public and of that profession wide open to proclaim it. But such pledges of punctuality are not to be had in the service now under consideration.

In this case, the two modes of recompense being still liable to opposite objections, an idea that might possibly suggest itself to some, is to combine them in the same person; and to bestow such emolument as may be thought proper to allow, half in the form of a settled salary, independent of the quantity of business done for it, and the other half according to such compensation as shall be made, in fees of office, accruing in proportion to the business. But fees of office, however moderate, can never, it must be confessed, be made to stand clear of this dilemma: either they are high enough, on any given occasion, to serve as a motive to act on that occasion, or they are not: if not, by the supposition they are of no use: if they are, they are liable to turn into *abuse*, by prompting him who profits by those occasions to use his industry to create them.

The only way of deriving any advantage from the union of these different plans of recompense, seems to be the employing them on the same service indeed, but not on the same person. In short, to establish two sets of magistrates, those of one set to be paid in one of the two ways, and those of the other set, in the other. On this plan, a magistrate out of

one set, should constantly be joined with one out of the other set upon each business: to the end that each might supply that qualification, in which the other might be in danger of being deficient. The justice paid by *fees* would find activity to serve as a *spur* to the *indolence* that might be apprehended on the part of the justice paid by *salary*: the justice paid by *salary* would find integrity as a rein to the *activity* of the justice paid by *fees*.

This plan would probably be called refined and whimsical; as everything that is new is apt to be. With better show of reason, it might be thought invidious: casting a note of distrust on that set who should be fixed upon to be paid by fees: as persons not fit to have that confidence reposed upon them that is reposed in the other set of magistrates. A means of obviating this objection might be the forming the two sets at different times of the same persons: in such manner that each magistrate should be, for a limited time, a twelvemonth for example, in the set to be paid by fees: and afterwards, for an equal time, in the other set to be paid by salary. Change might be made, either by rotation, or by ballot.

In order to prevent too intimate an union between two persons, whose interests the view is, to certain purposes, to keep severed, it should be provided that not two, though of different sets, should act for any constancy in conjunction.

Another more simple expedient than that which has been last proposed, and which might either be substituted in the room of that, or be combined with it, is to annex the recompense, neither to the bare acceptance of the office, as on the plan of settled salary, nor to the quantity and quality of business done, as on the plan of fees on each occasion, but to *attendance*.

This may be done in either of two ways. By a settled salary for the whole year, with forfeitures out of it for every instance of non-attendance,—a plan adopted by Mr Viner, for example, in his establishment for a Law Professor: or, without any such salary, or any fees of office, by a sum to be divided at each period of attendance, amongst such as do attend, not exceeding a certain number: a mode exemplified in the instance of the Directorship of the Amicable Insurance Office, the Bankrupt Commissions, and many others. In one instance, indeed, it is applied to the office in question: I mean that of meeting to license public houses, and in this instance, Dr Burn bears strong witness to the efficacy of it.*

In determining concerning any plan that shall be proposed, it ought not to be forgotten, that the business is so to provide, as that the magistrates, not only in point of fact, shall execute their offices with due diligence and integrity, but that, as far as may be, they shall be exempt from the suspicion of doing otherwise. Much depends on the *title* they have to confidence: but much depends also

* History of the Poor Laws, 1764, p. 221.

upon the confidence they *possess*: upon the title they are thought to have to it. On this account, it is not enough that the plan adopted shall have been approved by experience, as, it may be thought, in one or a few instances, perhaps not similar, for anything that is public to the contrary: instances, not circumstantially compared with that in question: instances, where the temptations and opportunities to swerve from the line of duty, perhaps *may*, perhaps *may not* be similar. It should be such as should appear from *theory*, from the consideration of the general principles of human nature, applicable to the particular circumstances of the case in question, calculated to compass the ends proposed: that if men should still complain of negligence or corruption, it may be said to them, "What would you have? The best general preventive measures have been taken for securing the persons you complain of, against the temptation to do ill, that offered: if anything has been done amiss, 'tis in the particular nature of the individual that has done it you are to look for the cause, and in the *execution* of the laws that are already provided for the remedy. All has been done in the way of *making laws* that the case admitted of: it has been made, as far as could be devised, the apparent interest of the persons in question to do their duty: that done, all is done that can be done."

Another thing to be observed is, not to be influenced to give up any salutary check, any measure of security, that bids fair for efficacy, by the notion of its reflecting on this or that individual: by its being said, that gentlemen will take umbrage at the suspicions entertained of them: that they will not engage in the office upon such terms. All this, and abundance more that may be urged in the same strain, is abundantly answered, when it is observed on the principles avowed by the constitution, that no precautions against the abuse of power can be too strict, or too many, that do not impede the use of it: and that these, or whatever precautions may be taken, are taken, not against this or that individual, but against human nature.

The provisions made for the due execution of the law can be of use no further than in proportion as people are apprized of them.

Many delinquencies of the inferior order, though detected, escape unpunished, for want of persons knowing where to apply on the occasion, or what steps to take. Even in offences of the higher rank, which the whole neighbourhood make a common cause of punishing, much trouble is often occasioned by the want of such intelligence.

For this purpose, a set of printed advertisements, to be stuck up in a sufficient number of places throughout the jurisdiction, it is apprehended, might be of use. These might contain, 1st, A direction to the nearest office where magistrates are sitting, mentioning the hours of their sitting, and what to do with a delin-

quent in the intervals of those hours; 2dly, The names and abodes of a sufficient number, twelve for example, of the constables who live nearest the place where the advertisement is affixed.

Certain places should be fixed upon for these advertisements to be stuck up at,—for example, in every street, immediately over the name of the street. As to the form of printing, they should be at least of the size of the larger sort of play-bills, with capitals, and other such devices to attract the eye.

The title of these might be—From the Police, Instructions how to proceed in bringing Offenders to Justice.

It might be of use, were there some emblematical symbol used to distinguish all such advertisements as issue from authority: something that, being constantly used for that purpose, and appropriated to that purpose alone, would be intelligible to such as cannot read. The figure of justice, for example, with her sword in one hand, and the other resting upon a volume of the laws: either that, or else the king sitting in Parliament. Though the first symbol, being the most simple, and being already pretty familiarly known, seems to be the most proper. Advertisements thus distinguished, it might be made penal for persons unauthorized to deface or to pull down: of which notice should be given *viva voce* in all places of worship.

It might be of considerable convenience were there a place of temporary custody provided under the very roof where the magistrates sit, for the lodgment of such persons as should be brought for examination during the intervals of their sitting. If, for trivial delinquencies, in which justices of the peace have the power of determining, as well as of inquiring, parties could be brought immediately before them, and the complaint decided on the spot, it would save much trouble and expense; and the powers granted, in many instances, to persons at large of apprehending, *flagrante delicto*, without warrant, might be extended with less scruple to the constable himself, for the confined and single purpose of carrying a man to a place, certain to await, at a time speedy and certain, the legal orders of a magistrate.

The Banking question was among those which occupied Bentham's mind. Colquhoun writes to him, 15th Nov., 1799:—

BENTHAM TO P. COLQUHOUN.

"I have been turning my thoughts a little (and but very little) to the effects of your *circulating medium plan*, and I see in it a vast resource for government. Why should the Charter of the Bank of England be renewed? or why should bankers exist at all? Neither

the one nor the other contribute to augment the property of the country; while by dealing in money and assisting monopolizers, who are always hurtful to every state, they acquire immense fortunes by availing themselves of a resource which properly belongs to the state, and which, under a proper system of management, would not only ease the country of the pressure of war taxes, but would even enable government to pay off the national debt. I daresay you are already convinced of this, from the consideration you have given the subject. But this is not all the good it would produce: those commercial distresses, which beget distrust and produce ruin to many respectable individuals, while they disturb the beneficial intercourse of commerce, *could rarely happen.*"

And again on the 29th November:—

"1. I should conceive the circulation of country banker's paper to be equal at least to the paper of the Bank of England. No human being can form any accurate judgment of what may be afloat and current at the same time. It must hang upon conjecture, and the best opinion on this subject will be obtained from men of commercial knowledge and good judgment: I should conceive Sir Francis Baring's ideas on this subject of importance. As far as my judgment goes, I should suppose the country circulation of Great Britain about eleven or twelve millions. Mr Burdon will not leave town till parliament meets.

"2. I had conceived the circulation of the paper of the Bank of England to exceed ten millions; but Mr Allardice is no doubt right. Since the payment of specie has been suspended, I should conceive the bank may have extended its circulation one-fourth. This, however, is judging only from appearances: the fact cannot be ascertained. The merchants complain of the directors being less liberal in discounts than the present pressure requires, although they have certainly stretched considerably, and it is probable that their circulation is greater than it ever was. The addi-

tion of one, and two, and five pound notes, within the last eight years, must have increased the circulation in a certain degree; but it does not go very far beyond the metropolis.

3. "The country bankers keep very little specie. It varies according to the credit and opulence of the bankers. In proportion as bankers possess confidence in the country, the less specie is required. They have nothing to fear, but from a run upon them, arising from want of confidence, whether proceeding from the credit of the house being shaken, or from public calamity. It is usual for bankers in the country to exchange each other's notes once or twice a-week, and the balance is always paid by a bill on London. An extensive credit here is what they trust to more than specie, for supporting them in any exigency; and the want of the means of obtaining this credit, restrains circulation, and prescribes a limit, in proportion to the capital of the bankers. It does not happen once in seven years, that a country banker is called upon to pay specie to any extent; and it seldom happens at a distance from the metropolis, that gold coin is to be met with. The risk of light guineas has reconciled the people to *notes*, and nothing else is in circulation. A considerable amount in silver (comparatively speaking) must be kept at the country bankers' houses for change—at least this was the case before the five-pound notes were issued. I should not conceive the gold equal to one-eighth, if so much, of the amount of the notes in circulation; but this is mere opinion. It is the interest of the banker to have as little as possible, and he will act on this principle. If he sees no danger, he will have little or none; if otherwise, he will get temporary supplies from the metropolis.

"If we could suppose a case, where a sudden demand to the amount of one-fourth of the circulation of the different country banks was to be made for specie, I think all of them must stop, because they could not, in that case, assist one another. In this view, specie is not the foundation upon which notes are issued; but the *credit of the issuers*, and their

known property and responsibility. It is this that quiets the public mind, since a general impression prevails that the specie is, at all times, very inconsiderable in the coffers of the bankers."

Bentham applied to Sir Francis Baring for information, in a note dated 23d December, 1799.

BENTHAM TO SIR FRANCIS BARING.

"Q. S. P., 23d December, '99.

"DEAR SIR,—Permit me to cast myself upon your experienced kindness for an answer to the question on the other leaf. I am sensible that nothing better than mere conjecture can be given, and that conjecture of the lowest kind; but from you any sort of conjecture would afford me a degree of satisfaction not to be derived from any other source on a subject in which I happen just now to take a particular interest.—Believe me to be, with all respect, yours ever.

"1. Whereabouts may be the amount of Bankers' paper (payable on demand) habitually in circulation?

"2. If no particular sum can be mentioned, is it supposed to be more or less than that of the Bank of England?

"Questions added.

"3. Has any and what addition been made to the quantity of Bank of England paper in consequence of the issue of £2 and £1 notes?

"4. What is the rate of interest allowed to customers by such of the bankers as allow interest? as per Sir F. B.'s Observations, 2d edit. p. 18."

To which Sir Francis replies:—

"1. The bankers in London have no circulating paper payable on demand. The country banks always have; but a distinction should be made between paper payable on demand *originally*, and what becomes so, *in consequence of the lapse of the time* for which it is issued—this is partly explained in what I have said about the Exeter and Newcastle banks; for instance:

"Exeter issued *originally* notes on demand, which formed a small part, (about one-tenth of their circulation,)

the remainder being at twenty or twenty-one days after sight with interest.

"Newcastle issued all their paper to commence interest six months after date, and thus payable on demand, conceiving it the best means to keep their paper out; for whoever took out fresh notes must wait six months before interest commenced.

"It is impossible to form an estimate, or even a guess at the amount, which must vary with the more or less internal trade of the country. The proportion of notes issued *originally* payable on demand must be small; but it requires a return of the practice of the great banks to know the degree to which that amount is augmented by the means I have described.

"2. The preceding will explain why no answer can be given to this; but the total quantity or amount of the paper of the country banks must very much exceed that of the Bank of England *in my opinion*; but doctors always differ.

"3. An addition has been made, no doubt; and the sum would have been very much larger, if the notes had been for guineas instead of pounds. The number which are in circulation may be large, but I cannot think the value or amount to be considerable. I am clearly of opinion that it forms no important part in the circulation of the country. It was *convenient* at the time: it may be so now, and hereafter; but that is the extent of its importance.

"4. The rate of interest from country banks will vary: some are so low as $2\frac{1}{2}$ per cent., but the most are from 3 per cent., and upwards. It is probable that war and partial distress may have varied the rate paid by the same banks.

"You should read the report of the House of Lords on examining the Bank; but you must not positively rely, that what are stated as facts, are so in truth. I forget the instances, except some in the evidence of Henry Thornton, which he gives as receiving information from others, but in which he has been misinformed.

"The subject of circulations generally is very tender and difficult at present, for we must have many shocks and con-

vulsions before it can settle in a sound basis; in the meanwhile, it moves quietly and with facility for those who proportion their enterprises or operations to their means; as the distress and failures of 99 out of 100 which have happened in the last six months, has been owing to imprudence, &c., of the parties."

And Bentham acknowledged the communication thus:—

BENTHAM TO SIR FRANCIS BARING.

"Queen's Square Place,
"27th December, 1799.

"MY DEAR SIR,—I cannot let slip a post without expressing my gratitude for the trouble you have so kindly and so promptly taken in furnishing me with the valuable information I have just received.

"*Apropos*—have you heard—Yes, you must have heard—of Mr *I don't know who's plan*, for producing a circulating medium of '*Stock-Notes*,' which were *to be*—and *not to be*—a mortgage of stock? By means of a common friend, he applied to me repeatedly and pressingly for my opinion of his plan. To enable me to form one, I wrote him a letter, asking him for the *form and tenor* of one of his proposed *Stock-Notes*, with reasons stating why I could not do without it—no answer: nor though I applied repeatedly and pressingly, could I get back my letter, which, I said at the time, I should want back, not having preserved a copy of it. Meantime, it appeared to me, that, whatever sort of a thing his *Stock-Note* might be, it was impossible the plan should do: and I drew up a letter accordingly, which, without announcing the result of it, I let him know, through our friend, that I had in readiness for him, and would send immediately on his returning me the *first*. That I might have no bias on my mind, I would not know who he

was, nor do I to this moment: *Romilly* knows, and was going to tell me, but I stopped his mouth.

"As these things are *work* to your humble servant, though *play* to you, it has come into my head this moment to bore you with the said second letter, for the chance of taking the benefit of your opinion on the subject, and learning whether my own are fortunate enough to stand confirmed by yours, and to receive any correction which you may have the charity to give me.

"Read, or unread, as you have time and appetite, do me the favour to return it within a week; and though it should be waste paper, do not treat it as such, since the replacing it would cost me more trouble than I can spare. I am, &c."

SIR FRANCIS BARING TO BENTHAM.

"I thank you very much for the perusal of your letter, and agree entirely with you in opinion on the subject. I must, however, in candour, point out to you an error you have committed in saying, *you do not understand*, &c. Now it is evident that your assertions and observations are decidedly at variance. I have heard of the plan for about twelve months,—perhaps it may accompany the union, for it is much too sublime for an English head: and your ideas about the tenor of the note are just, as I think it impossible to frame a note founded on so visionary a basis, as would inspire confidence: you should recollect that when Mandats were established, they were combined in a degree with Assignats: the consequence was, that in fourteen days mandates were at 30 per cent. discount, and in six months both mandates and assignats were swallowed up in the same bottomless pit. I have marked with a pencil a short observation which cannot be answered, and therefore *satis est*."

CHAPTER XIII.

1800—1801. ÆT. 51—53.

Correspondence : Dr Roget, Addington, Abbot, Morton Pitt.—Project of a Frigidarium.—Letter on the Population Bill.—Prevention of Forgery.—Lind's Widow.—Annuity Note, and Banking Projects.—Correspondence with Rose, Pye, Vansittart, Dumont, and Young.

ON the subject of the newly-discovered laughing-gas, "Nitrous Oxide of Azote," there is the following from

PETER ROGET* TO BENTHAM.

"Cheltenham, January 9, 1800.

"SIR,—Not having been able to procure the number of Nicholson's Journal, containing the article you refer to in the letter with which you have honoured me, I cannot form any judgment concerning it. I suppose, however, from your account, that it does not differ materially from the 'Notice on the Respiration of a newly-discovered gas, &c.,' published by Dr Beddoes in November, in the form of a small pamphlet, under the above, or some similar title. The medical effects of the air in question are, no doubt, very violent and peculiar; but, as far as I was an eye-witness to the experiments, I could not discover in them sufficient uniformity to enable me to draw a conclusion. I shall endeavour, however, to give you some general idea of its effects upon myself. I have respired the air three different times; in the last of which the experiment was pushed as far as was prudent—that is, until the air-bag dropped from my hands. The first inspirations induced a giddiness and stupor, from which I was gradually roused by a kind of delirium, which stole upon me imperceptibly, but which, after a certain time, increased so rapidly that I soon lost sight of every object around me, and all recollection of where I was. I felt as if my whole frame had been violently and tumultuously agitated—a state to which I can conceive nothing similar, unless it be that of high delirium or mania. How long I remained in this

situation I cannot pretend exactly to determine, as my estimate of time must, in such circumstances, have been very inaccurate. The whole scene, indeed, had more resemblance to a delirious dream, than to anything that could be distinctly remembered. Its duration was probably not above a few minutes, for every unnatural feeling had completely subsided in a quarter of an hour. But I perfectly recollect that, during the whole time I was under its influence, I experienced no pleasurable sensations of any kind, but rather those of an opposite description. Nor was I singular in this respect; for some other persons on whom I saw the experiment made, were affected unpleasantly. The pleasure expressed by the rest might have arisen possibly from the novelty of the sensation. One chemist, I think it is the Abbé Rozier, describes his feelings on his first inspiring hydrogenous gas, as highly pleasurable, for which, perhaps, the same cause may be assigned.

"In July last, I gave Mr Davy, the discoverer of this air, an account I had written at his request, of the effect it had had upon me. This account, I find, has been suppressed.

"I should not apprehend any dangerous consequences from moderate trials with a gas diluted with a large proportion of common air; but I confess, until its effects on other animals be better known, I should have no inclination again to venture my health in any trial of its full effects. I am, indeed, disposed to doubt the entire safety of such experiments, after the account given me by one gentleman who had breathed it in a large dose, and, I believe, pure. The feelings it produced in him, he represented as those of a total suspension of all his faculties, impressing him with

* Now Dr Roget, the son of Romilly's brother-in-law. He must have been a young man studying his profession at the date of the letter.

the belief that he was at the point of death. When pure, it is speedily fatal to small animals; mice, when immersed in an atmosphere of it, die in about four or five minutes. A taper burns in it with greater brilliancy than in common air.

"As you seem desirous of knowing the method of preparing it, I shall conclude by giving you some account of it.

"Crystals of nitrate of ammonia are to be heated till they undergo the aqueous fusion, and while in this state, are to be supersaturated with ammonia, by adding dry carbonate of ammonia till no further effervescence is produced by fresh additions. The salt resulting from this combination is decomposed by a certain degree of heat, below what is called a red heat, in such a manner that this peculiar air is extricated. This process, though simple, is an operation that requires some delicacy in regulating the application of heat; for upon the proper management of this the purity of the gas, as well as the safety of the experiment, depends. If the just medium be exceeded, either nitrous gas is disengaged along with it, or a deflagration is produced, which bursts the retort. I should add, also, that before the air thus obtained can be breathed with any safety, it should be allowed to remain a few hours in contact with a small quantity of water, in order to purify it from all mixture of nitrous gas; but if a large quantity of water be employed, much of the air we wish to preserve will itself be absorbed.—I remain, Sir, your most obedient servant,

"PETER ROGET."

A strange sort of asking for a dinner, Bentham addressed to Mrs Evan Nepean. (March 21st, 1800.)

"GOOD MY LADY,—Heaven bless and preserve your good ladyship! Seeing, as how your ladyship was so good as to be pleased to be so kind as to say, as how that the round of beef would be good cold, and that there would be some of it for dinner to-morrow, and the next day, and the day after, (which is as much as to say this day, an't please your lady-

ship,) and that I might have some of it for asking for, if so be as how I behaved well, which is my constant indiver to be, to the best of my poor abilities, whereby if it should please your good ladyship to bestow some of this good beef upon a poor man to-day, or to-morrow, or any time, as long as it keeps good, it would be a great help to him in these hard times; and so no more at all at present from your good ladyship's humble servant to command. And so, with the proviso that so long as there is such good beef to be had for praying for, and such a dear good lady to bestow the same, your petitioner shall ever pray, being, with the utmost difference and respect, your ladyship's humble servant to command.

"J. B.

"P. S. This is with the proviso that none of the quality, nor nobody else, dines with your good ladyship and the good family, seeing as how if there was any living creatur besides, I could never make bould to intrude myself, but would ax leave for some other day. With my humble duty and sarvice to good Madam Winkworth and the Squier, concludes me.

"J. BAREBONES."

Hasty, but characteristic, is the following letter to Dumont:—

"Q. S. P., 20th June, 1800.

"MY DEAR DUMONT,—I return you herewith your Buonaparte letter, with thanks; also Mr North's letters. Your suspicion about Mallet du Pan, I repel with scorn. You made me the offer, but you never realized it. What I had of you was nothing but *Bibliothèque Britannique*,—all returned.

"Pray send me Mr North's address; his parish, and nearest post-town,—do so by the first opportunity.

"I leave out for you seven packets of MSS. God knows what they contain.

"I have a few sheets entitled *Omnipotence*, about a dozen or so,—viz. Of the Legislature or Supreme Power,—showing that there ought to be no limits to it,—no occasional *conventions*,—no epochs of *revision*. But this, I believe, you have seen. I have more about Constitu-

tional Laws,—including old stuff about *Etats Generaux*, &c.”

To Mr Addington, the Speaker of the House of Commons, Bentham sent (July 24th, 1800) suggestions for architectural arrangements in the House of Commons, in order to give effect to suggestions for the regulation of debate. The proposal is original, and parts of it, at least, feasible :—

BENTHAM TO SPEAKER ADDINGTON.

“SIR,—The architectural alterations proposed for the two Houses of Parliament, recall to me an old idea, a compressed hint of which I take the liberty of submitting to your consideration.

“Debate *beside* the question, or even *without* a question, consuming a large proportion of the time of every deliberative assembly as yet known, would the *simplicity* and *efficiency* of the under-mentioned remedy, atone for the *novelty* of it?

“The subject-matter of debate—*Motion—Address—Clause* (in a Bill, &c.) to be exhibited in a situation in which it would be visible to every member in the House, in *types* large enough for the purpose, the *matter* to be *composed*, *broken up*, and *recomposed*, for successive motions, &c., with that rapidity which is in *use* among *compositors* for the press.

“Practicability, in respect of size and distance, was ascertained many years ago, by observations, experiments, and calculations. I found that a quantity of matter more copious than is usually exemplified in any *king's speech* or *address*, might be made legible at the remotest station of a room much more spacious than either of the existing apartments, called *Houses of Parliament*.

“Supposing the principle admitted, the application of it would be susceptible of two *extensions*, neither of which I should expect to find capable of obtaining admittance, at least during the life of any person now living, against the resistance that might be opposed by the idea of innovation and the fear of ridicule.

“One is—a TABLE, exhibiting the

RULES OF DEBATE: analogous to the *Table of the Ten Commandments*, which we see in churches.

“Another is—a TABLE of the IMPROPRIETIES men are *liable* to fall into in debate—an idea suggested by the ingenious but imperfect list of ‘FALLACIES’ exhibited so long ago as in the books of *school-logic* copied from Aristotle.

“A *wand* or *rod* (an ensign already borne by more than one *officer of state*, and thereby protected against the imputation of ridicule; but in their hands an instrument of mere parade) would, in the hands of the Speaker or Chairman, be, in the case supposed, an instrument of indispensable service, by pointing to the passage or word in the *Motion*, &c., not attended to—to the rule infringed, or, (as it is feared,) in danger of being infringed, to the head of *impropriety* incurred, or, but for such aid, in a way to be incurred.

“Correction might thus be *administered*, or rather by timely warning, the occasion for it *prevented*, without interruption, and with a degree of *gentleness*, (not to speak of *dignity*,) hitherto without example.

“Under the approaching influx, a *lenitive* of this nature, might it not operate upon occasion as a preventive not only of *ill blood*, but *bloodshed*?

“Appropriate arrangements of the *architectural* kind, such as a station for the reception of the apparatus, &c., and adapted to the station of the *Speaker* or *Chairman*, &c., would be requisite: and this consideration as it has been the cause, will (I humbly hope) be accepted as an apology, for whatever might otherwise appear intrusive, in an address *thus timed*, from a man whose nullity for so many years in relation to the public service, has not been the result of indolence.

“Queen Square Place, Westminster,

“24th July, 1800.

“To the Right Honourable the

“Speaker of the House of Commons.”

CHARLES ABBOT TO BENTHAM.

“Sunday.

“My only reason for not saying anything about your Motion Table was,

because I should not have advised you to send the proposal. It might be used practically, I dare say; but I do not think the want of it is at present felt; and as you have one new project in hand, it might be as well not to acquire the character of a *Faiseur de projets* with people who are not too much disposed to carry into effect the one for which they are pledged.

"As to the Registry, if I did not mention it, it was purely accidental. In truth, if it succeeds at all, it will fall short of what I think ought to be done, and probably very short indeed of what you, who wish to have everything perfect, would desire. But we must work with things and men as they are, if any practical good is to be done.

"On Tuesday se'nnight we go from hence upon a visiting tour, and shall have no fixed abode for some time; but letters left for me in Pall Mall will always follow me.

"You may depend upon a copy of the Record, the first when printed; but it will be scarcely finished before November, on account of the quantity of letter-press in the Appendix, and the number of plates.

"If you have anything to say about the use made of my scraps upon the Sinking Fund, I shall be glad to hear it."

BENTHAM TO CHARLES ABBOT.

"Q. S. P., July 30, 1800.

"How comes no report to have been made about the *records*? I see something about £1000 voted for somebody on that account, but not intelligible.

"Thanks for Exchequer Bill Return received. Pray send me back the enclosed by return of post.

"Copies sent the 24th inst. to the Speaker, Chancellor, and Mr Pitt.

"Yesterday, note from the Speaker in these words:—

"The Speaker presents his compliments to Mr B., and has the honour of acknowledging his letter of the 24th inst., with many thanks."

"This was more than I expected,—

no notice from either of the two others, of course.

"Do not you think that in case of squabbles, confusion, &c., especially from the Irish, this may perhaps be called to mind? I should be sorry to find that the architectural arrangements had physically precluded the use of it."

The next is a letter from

BENTHAM TO W. MORTON PITT.

"Q. S. P. 14th Aug. 1800.

"MY DEAR SIR,—You have been so quiet a creditor for the four years (for it can be little less) that I have been indebted to your liberality for the loan of the two first volumes of the Finance Reports, (anno 1797,) that I am inclined to suspect you have considered it as a lost debt, and found some means or other to replace it. Should that be the case, my character is gone, and worldly wisdom suggests the keeping the one treasure by way of compensation for the other. But if the case be, that you have never ceased to regard me as an honest man, and that accordingly your third and fourth volumes lie to this hour pinning for their companions on your — shelves, ('shelves' ought to have had an epithet to complete the pathos,) then, and in that case, you have but to acknowledge the same under your hand, and volumes first and second take wing for Arlington Street. The proximate cause of this fit of probity is, that this original impression being, as everybody knows, unpurchaseable, and, in fact, some of the numbers absolutely exhausted, and the pretended reimpression mutilated and good for nothing, and divers efforts I have used to complete my set, (having had volumes third and fourth from the beginning of things,) having proved fruitless,—I have at last succeeded in getting the four volumes at the expense of a burthensome obligation from a man who will not accept of payment. But if it should so happen that you have done the injury to my character, as above-mentioned, I am willing to compound: and if your succedaneous volumes should be as yet unbound, such is my generosity, I would consent to an exchange with you. Had it not been for so providential a resource,

I had subdued my conscience and hardened my heart to such a degree that I should absolutely have kept the books on and on till the owner had appeared in the character of a dun, and haunted me, —they having been all along, with reference to my necessities, beyond all price, (whence some people, in my place, would take occasion to say pretty things about the liberality of the owner, and so forth; but this is a parenthesis,) I had, however, just so much grace left as to have guarded you against my representatives, by giving an indication of the lawful owner in a blank leaf.

"I hope that this will find you and yours in wonted health and prosperity, —ever gay and ever busy,—feeding the poor and entertaining kings.—Believe me, &c."

Bentham was at this time much occupied with a project for preserving fruit, vegetables, &c., from decay, by the employment of *cold*, and wrote to Dr Roget, September 4th, 1800:—

BENTHAM TO DR ROGET.

"*Queen's Square Place, Westminster,*
"*Thursday, September 4th, 1800.*

"DEAR SIR,—It is with no small satisfaction I avail myself of your obliging permission (received through Mr Romilly) to cast my crudities upon your indulgence. Even in the course of this very letter, I must trust to the same indulgence for tolerating incoherence, the better part of my attention being called aside by matters of superior moment, as well as pressure, and my mind enfeebled by some years of oppression, and ill qualified to sustain these or indeed any other burthens.

"The catch-word (you will find) is *Frigidarium*, a sort of ice-house, for the purpose of preserving fermentable substances of all sorts, from prejudicial fermentation, by excluding the degree of heat necessary to that process. The commercial plan therein deducible includes, you see, all provisions except grain, with different degrees of advantage.

"In one of the sheets you will see such facts as it has come in my way

to collect in a course of casual reading of four or five years.

"That by the means in question, all fermentable substances may be kept from all distinguished species of fermentation, putrefaction included, seems out of all doubt: but whether from all changes perceptible to the palate, is a matter that I suppose remains to be tried. If not already ascertained, I make no doubt of your agreeing with me that the point is worth the trial in every point of view, philosophical as well as commercial not excepted.

"While simple absence of heat (an effect so easily obtained) promised so much, and (as far as resorted to,) in a sufficient degree performed, what weakness to have recourse to the inadequate expedient of mixtures, as by salting, &c., or even the deteriorative expedient of removal of moisture by heat, solution in air, pressure, or otherwise.

"Freezing keeps animal substances eatable for any length of time, as is known by universal practice throughout the Russian empire; but not altogether, I understand, without prejudice to flavour: but, by freezing, the texture is quite broken up and destroyed.

"The object is to keep the subject-matter unfrozen in a temperature not higher (say) than 36. This equability may be preserved, (by an adequate magazine of ice throughout the year,) I suppose, in the air of the *Frigidarium*, and, without doubt, (I imagine,) in what I call the *Balneum*, viz. under water.

"In cellars, joints of meat are kept for six or eight weeks, I believe, even in summer time. This, as far as it goes, proves in favour of the project, and proves nothing against it where cellars fail; the temperature of a cellar in summer being hardly below 50.

"You will see various paragraphs relative to a *Tepidarium*, and to contrivances for preserving different degrees of temperature in a regular scale. All these experiments I should have tried together, had fortune favoured: as it is, I must confine myself, for the present at least, to the most simple and most profitable, with a view to practice and commercial profit, as above. In the

choice of the subject-matter of philosophization, the principle of utility—your old acquaintance, has been my guide. I leave it to Mr Tonorant to employ gold in the destruction of diamonds.

“You will see abundance of repetitions, and not a few absurdities: but to expunge them, would have taken up more time than I can spare.

“My Frigidarium I think of making semi-globular, (or rather a frustum of a globe mounted on a cylinder,) about sixteen feet diameter clear in the inside: estimated expense, by an able and confidential architect, about £170. It will form a mount in my garden, and will be pretty well shaded by tall trees. Vessels and instruments may make up the expense, say £250: and subject-matter of experiment for the twelvemonth, perhaps £100 more. Some rough graphical sketches of the Frigidarium (not by the architect, as you will perceive) may perhaps be with the rest of the papers.

“In case of success on this *gally-pot scale*, I have a situation at command extremely well adapted to the purpose of carrying it on upon the commercial scale, and a plan of architecture invented by my friend above-mentioned, (Mr Bunce, architect to the Naval Works,) which promises to reduce very considerably the expense on that score, viz. a means of making a concave semi-globular arch: in a word, a dome without the scaffolding, called *centering*.

“The grounds in respect of supposed or known matter-of-fact of the projected course of experiment are contained in the sheet of *Collectanea*, which, therefore, I would recommend to be the first read.

“The number of sheets sent is thirteen. I send the copies as most legible, but have not had time to revise them. Of a few of the sheets which I could least bear to lose, I have taken copies.

“Now, then, as to my views in troubling you with these papers:

“1. Does any matter-of-fact or consideration present itself to you as opposing an insuperable bar to success?

“2. Item, anything as necessary or particularly conducive to success?

“3. Does the course of experiments and observations I think to engage in, (unless you should show cause to the contrary,) strike you as sufficiently interesting in any point of view, to produce an inclination on your part to observe and attend the progress of them?

“4. Could you make it convenient to give me your company at the time of planning the building and other arrangements?—a business which could not, I think, well be deferred (in respect of the season and weather) beyond the first week in October. I feel much the want of a confidential friend, whose sympathetic zeal might animate my languor, and to whose information and intelligence I might look for a supply of my own deficiencies.

“Even in the paper of the latest date, you will find the arrangements in a very crude and imperfect state. As yet, I have given none but superficial glances. The business has never yet been the *order of the day*. I have never yet applied to it seriously: but I hope to be able to do so in less than a fortnight. In less than three weeks I expect the architect, who is now at Plymouth upon duty in the same party with your cousin Romilly.

“By the very next opportunity after this comes to hand, I would beg a line from you, if it were only just to let me know of its arriving safe: if you had time to glance over the papers, so much the better. I could wish at first to have the picture of first impressions: and afterwards, when you have had time, the result of your maturer thoughts.

“I hope Mr Romilly conveyed in due season my thanks for the favour of your instructive letter relative to the wonder-working gas: I see an advertisement of a new and larger volume on the subject by Mr Davy. I left your uncle on Sunday in the declared intention of setting out on the then next, and now last Tuesday, bag and baggage, household and all, on his excursion to the Isle of Wight. Believe me, &c.”

Dr Roget answers:—

DR ROGET TO BENTHAM.

“*Sidmouth, September 9th, 1800.*

“I received your parcel, very safe, yesterday morning. As you express a wish to know what were my first impressions on learning the nature of your scheme, I shall begin by telling you, they were very much in its favour. On a superficial glance over the papers, I was struck with the extensiveness of the views they seem to open; and a nearer inspection convinced me that the proposed experiments must lead to a wide field of investigation on various subjects, scientific as well as economical. From what I have as yet collected, I should conceive it to be no very difficult matter to succeed in maintaining a temperature, sufficiently constant and uniform, for every purpose in which it was required. I can perceive, at present, nothing that opposes any insuperable bar to success; and, indeed, we have it so much in our power to retard to almost any degree, the transmission of heat, that some sort of success can hardly fail to result from the attempt. By the means you propose, it appears in the highest degree probable that the total suspension of every species of fermentation may be obtained for any length of time. There is one consideration too, which just now occurs to me, (though you have probably anticipated the remark,) and is apparently of great moment in the future prosecution of the plan on a great scale:—it is, that the space gained by enlarging the dimensions of the building, will increase in a much greater proportion than the surface exposed to the heating or cooling influence of the atmosphere increases; the former being as the cube of the diameter, the latter as the square only. Hence, the larger the scale on which it is constructed, the greater proportion will the space cooled, bear to the quantity of cooling materials required to produce or maintain the same given temperature in that space. However favourable the results on a small scale, they will be still more so on a larger. The only discouraging reflection that has pre-

sented itself to me is, that the immediate *utility* that may result from the scheme, does not, as yet, appear in so clear a light, as the possibility of carrying it into execution does. But I am too ignorant on the subject of commercial speculation to venture offering any crude observations of mine to your maturer experience. When I have had a little more time to ruminate on the subject, I will trouble you with what has occurred to me. Allow me to mention, in the meantime, that I feel extremely flattered at your having selected me as not unworthy of your confidence, and at your permission to witness your experiments, and participate in your labours; a permission of which I shall very gladly avail myself. It was already my intention to have been in town towards the end of October,—as I purpose attending some hospital in the course of next winter. It will not materially derange my plans, to hasten my journey a week or two earlier,—I am, &c.”

Bentham is only strengthened in his convictions by the few difficulties which Dr Roget suggests—and replies of date September 13th:—

“Nothing could be more flattering or encouraging to me, than your obliging letter of the 9th instant, just received. I take you at your word, and consider you as in a state of requisition; but of that, more before I conclude.

“As to utility, in a commercial point of view, I wish it stood as clear of doubts in all other points of view as in that. Provisions to this purpose may be divided into classes. No. 1, those which are not to be had at all under the existing order of things, but at certain times of the year. No. 2, those that are regularly dearer at certain times than others. No. 3, those of which under the present impossibility of preservation, the price not only varies as between season and season, but fluctuates from day to day. Fish of most kinds do this on a scale of amazing length: for example, between 1s. or 1s. 6d. a lb. and 1d.

“Of No. 1, the instances are innumerable, the same peach or parcel of green peas which at one time may be had for

1s., shall at another time only by being a few months or even weeks earlier, fetch a guinea. What would they fetch at Christmas? Even early potatoes, have, by mere dint of earliness, been sold for 2s. per lb., and that at Manchester. At such enormous prices, the sale, it is obvious, must be extremely limited; yet, even at such prices, in such a place as London, the monopoly must be worth something. Reducing the rate of profit from 2000 per cent. to £100 or £200, the consumption might be so great as to render the amount of profit very considerable. To this class belong, you will find, most vegetables: *item*, a great many articles of animal food deemed delicacies, and bearing a high price: *ex. gr.* venison (buck,) house-lamb, even poultry, considered with reference to age.

"Of No. 2, I learnt one example t'other day by accident, in conversation with Mr Colquhoun, (police Colquhoun,) pig meat is at one time of the year dearer by 50 per cent. than at another.

"No. 3, it is that interests me more particularly. Nos. 1 and 2 do but administer to luxuries. No. 3 may afford substantial assistance to the poorer classes. On this subject I have a fortunately timed Report of the House of Commons before me. The prices of the other articles will form in due season the subject of a regular inquiry; but these broken hints, will, I suppose, be enough to remove your doubts. Grain excepted, all branches of the provision trade are subject to loss by spoiling, which must be made up by profit. On this plan, the profit might be reaped without the loss. A branch thus new and monopolized, might command ready money, and thus be clear of loss by bad debts.

"The thing that presses, is the calculation of the proportion necessary, as between quantities of ice for the years, or say one and a half year's stock, and quantities of preservanda, taking succession into account. Unfortunately, I have never seen the inside of an ice-house, nor do I know anything of the quantities of ice usually employed, or of the average time of sojournment, for the purpose of manipulation in the way of trade, (the confectioner's.) Before the

building is begun, or the plan of it fixed, I must endeavour to get access to one or two of these places; and shall hope for the benefit of your company on that occasion. In the meantime, the most material assistance you could afford me, would be by turning that matter in your thoughts, and putting together and applying in calculation what *data* you may have had or could obtain access to from conversation and books. Lavoisier, Rumford, Kirwan, I am, of course, aware of. Are you ready at calculations? I am very slow and awkward.

"Upon the equity of the assurance given in your letter, I shall rely on your making my house your home, for such time at least as is occupied by the planning, building, and if season favours, original stocking of the Frigidarium: supposing the abode, (which in situation is not unpleasant,) and the retired life I lead in it, not to be incompatible with your plans of study and amusement, it certainly will not, with your intended attendance at an hospital. Of two rooms—one on the ground floor, the other on the two pair of stairs, (not to speak of two small rooms without fire-places, appendages to the upper room,) you will have exclusive possession, with abundance of out-house room if you wanted it for any purpose.

"I hold you, therefore, in a state of requisition on the first summons; which summons I should give even now, and by these presents, were it not that I wait for the clearing my mind of a task, of which I hope and trust it will be cleared within a week; but while it stays there, will render me very bad company, as well as incapable of attending to any other business. In the meantime, I will beg the favour of your answer, including any further remarks that may have occurred to you in relation to the scheme.

"The following particulars, relative to the fluctuation of the price of fish, are subjoined, for your edification, from the Report of the Committee of the House of Commons on the British Herring Fisheries, printed 30th June, 1800.

"1. Largest cod, price from one

guinea to two guineas each, the high price in winter.

"2. Mackerel, from five pounds to six shillings per hundred, p. 139.

"3. Herrings, from fifteen to two shillings per hundred, p. 139.

"4. Thornbacks, maids, and other flat fish, taken near Yarmouth, have been sold sometimes 20lbs. for a shilling, sometimes come in such quantities they cannot be disposed of at all. They come from banks, near Yarmouth, which are inexhaustible. None of these flat fish are good for salting, pp. 130, 131.

"5. The trade in cod and haddock, afforded a sufficient profit to the fishermen at a time when they never obtained so much as twopence per lb., pp. 126, 127.

"6. Vessels being allowed but eight days (instead of twelve) to clear their cargoes, is the cause (in the opinion of Selby, a person examined) that there is a great glut for a short time, and no supply for a considerable time after, p. 129.

"7. Fish, when they die at sea, (lobsters excepted,) are salted, or otherwise preserved. Inland codfish, two cargoes salted in bulk, (without barrels,) weight fifty or sixty tons. Quere, in *Tepidario*, with or without a cheap acid, (sulphuric diluted,) lobsters and all.

"*Frigidarium* would neither buy at the cheapest of those prices, nor sell at the dearest. Yet would there be any want of profit?

"Twopence per lb., the price before the war raised the insurance as high as 40 guineas per cent., (p. 146,) affording a sufficient profit, seems to hold out a prospect of an unlimited sale, at a rate profitable to the seller, and yet cheap to the poor."

Roget replies by consenting to become Bentham's inmate, and to superintend the erection and management of the *Frigidarium*.

The following is a letter on the subject of Registration, from

BENTHAM TO CHARLES ABBOT.

"On Friday (I think it was) that I addressed by the post a letter to you at Cheltenham, in which I told you of the effects produced *instantly* upon the price

of land in the part of Poland last ceded to Prussia by the system of Registration, viz., raising it from seventeen years' purchase to twenty. In the other parts of the Prussian dominions (property being upon so much securer a footing than it used to be in Poland) the price is, and has for some time been, thirty years' purchase. The plan of Registration is in Prussia much more extensive and detailed than I believe it is here in the Register counties, or than you would, I imagine, think it advisable to attempt introducing. It includes not only mortgages, as well as conveyances outright, but servitudes (*Latine*,) easements &c., (*Anglice*.) In a word, it does for the whole country, and at all times, what I understand to be done once for all by the late Act in regard to the New Forest.

"I told you, at the same time, of an opportunity I thought I had of getting any queries answered in a satisfactory manner, that you might wish to put relative to the subject, if you thought it worth your while: at any rate, I shall use my endeavours to get a copy of the regulations printed on that subject, which regulations will, I suppose, contain, in most points, as satisfactory an answer to any such queries as could be procured by the queries themselves.

"Hearing to-day that you had left Cheltenham some time, it seems probable enough that the above letter has never reached your hands. I wish this, therefore, that if you think it worth while you might write about it to the Postmaster at Cheltenham. The direction was to 'Charles Abbot, Esq., M.P., Cheltenham,' nothing more. It contained some little matters besides, but of no great consequence.

"Talking with Wilson t'other day, I found that, according to his conception of the matter, the acknowledgments that country bankers give for their money, which they borrow at interest, are not negotiable bills, nor notes employed as currency, (as their notes, payable on demand, and the notes of the Bank of England are,) but simply promissory notes. You would oblige me, if you could inform me how that matter stands in the part of the country where you are

at present, and any other that you may happen to be acquainted with.

"In the last Budget speech, 24th February, 1800, (as per *Times*, 25th February,) Pitt takes credit for 'imprest money' to the amount of £750,000, as expected to be received '*in repayment of money advanced*.' Quere—to whom advanced, and on what account? Is this what we find sometimes under the head of Army Savings?"

Charles Abbot answers:—

"*High Lake, near Neston,
Cheshire, 11th September, 1800.*

"I shall be very glad to have the Prussian scheme of Registration. And I also want to know how the American plan has proceeded, which was enacted by Congress two years ago; but I have no American acquaintance.

"My plan you will despise very much; but you would do more justly by transferring your censure to those who have not the understanding or spirit to adopt a better. I can only hope to establish the Middlesex and Yorkshire Registration throughout England. When this is done, it will be less difficult to do more afterwards.

"See Lord [Sir Mathew] Hale's Essay on Registration.

"The £750,000 Imprest Money—expected to be repaid into the Exchequer—refers, I suppose, to some of the Mercantile Loans—or some of the Contractors' accounts; but I do not believe that *Army Savings* form any part of it. But our *successes* at Ferrol, &c. &c., must be very satisfactory."

The following letter of Bentham, on the Population Bill, signed *Censor*, and dated November 1800, is published in *Peter Porcupine*. I find a letter from Cobbett, acknowledging it, and apologizing for its delay for a week, from his wish to give it entire:—

HINTS RELATIVE TO THE POPULATION BILL.*

TO CHARLES ABBOT, ESQ., M. P.

SIR,—Great is the debt your country owes you on many a score: on none greater than

* It will be observed, that many of the improvements here suggested have been adopted in the late census returns.

that of your Population Bill. But eulogium, how well soever merited, is not the object of these pages. The object is, to consult with you, if I may aspire to that honour, how that which is already good, may be made, if possible, still better. In this view, I will venture to submit to you a few hints as they present themselves: whether they will bear the test of examination, I do not even myself undertake to say. Suggestion is all I have to offer; for scrutiny I have not time; nor for decision, competence.

1. *Return of numbers without names.*—Numbers (I observe) with *sexes* but not *names*: Names omitted, under the notion perhaps of saving trouble. But by this *generalization*, I am inclined to think, trouble would rather be increased than saved. Persons to be counted, must be distinguished, and how can they be distinguished but by names? Question—'*Well, friend, who have you in this house?*' Answer—'*There be me John Brown, my eldest boy John, likewise; my youngest Thomas, my wife Mary, my daughter Mary, likewise.*' Then and thus comes the general deduction—*males, three; females, two.* But how should the *general* deduction come, but from the *particular* information? I do not see how the trouble is increased by the giving of the names; and the security against error is infinite. If all that is required of a man is to say how many there are of each sex in the family, what check can there be? Some will not know how to make the account; some, through carelessness, will answer anything that comes uppermost: some, possessed by those suspicions which ignorance is so apt to harbour, will give answers purposely false: some theory will come across them, of an advantage to be derived, or burthen evaded, by increasing or diminishing the number. This they may do without much difficulty: falsehood will be exposed to no check. In the other case, where names are to be given in, there is a plain and palpable check.—Is a non-existing Thomas Brown inserted? There is then a plain, palpable, and disproveable lie, with incontestible *mala fides* as a concomitant of it. Is an existing Thomas Brown omitted? Here, perhaps, there may be no *mala fides* in the case: or if there be, the proof of it will not be so palpable: but a door will be open at any rate to correction, and such an one, as in the case of mere *numbers*, would have no existence. What? are these all? Have you not besides these a son or a younger brother, or a daughter, or a younger sister, who is at a day-school, or out a harvesting? Who is that lad, there, of the name of Brown, who is at farmer Hodge's keeping sheep? Is not he a son or nephew of yours?—Does he come to you of nights, or does he sleep at the farmer's?

Whatever inaccuracies result from the omission of the particularity I am contending for, will all be on the side of deficiency: forgery of non-existing persons is altogether im-

probable: omission of existing ones, may happen from any one of a great variety of causes. A part of your population, there is no saying how great a part, may thus slip through your fingers; and the result will be so much the less pleasing and encouraging than it would be otherwise.

"Here allow me to point out an omission, which if it be, (what I suspect,) an oversight, will be easily repaired. In Section 3, penalty on an inhabitant for *refusing*, or *wilfully neglecting to answer* such questions, (questions in the plural—so that one refusal or neglect will not constitute an offence,) meaning such necessary questions as shall be put by the persons authorized;—viz. the rector, &c. The addition I propose is, *or wilfully, or through neglect, giving any false answer, &c.* For the clause, as it stands at present, contains no provision to that effect.

II. *Ages omitted.*—Another head of inquiry that I do not see,—but should be glad to see, is, the *ages*: *ages* are material, inasmuch as they serve to show, not merely the absolute number existing at a given point of time, but the rate of *increase*. The quicker that rate, the greater the proportion of the infants of the last year, and so on year before year, to the adults. By this means you see likewise the number of fighting men for the current year; and are able to calculate and predict the number of that class, for each of so many years to come. The Americans in their *census* were not inattentive to this point. *Age* has the further use of helping to distinguish and identify the individual, where there are several that have both names in common:—a very frequent case.

III. *Baptism and Burials.*—Series incomplete. The returns required of *baptisms* and *burials* are incomplete; while those of *marriages* are complete. The former for every *tenth* year, and no more; the latter for *every* year. Why this difference? forty-five numbers more for the baptisms and as many for the burials, in addition to the six of each that are required, are all I want. When the register book is once taken in hand, how slight would be the addition thus made to the trouble! *Names* would not be to be collected in this case, as in that of the actual existing stock of individuals: that check exists already, and is already upon the books.—When one, two, three, and so on, are to be counted for each of six years, why not for the remaining and intermediate five-and-forty years? The information thus given by the births and burials, would thus correspond with the information given by the marriages; each would serve as a check and tally to the other; and the body of information given by both together would be complete. As it stands at present there will be a manifest gap in the information, and that a very wide one, without any apparent reason for it.

In the columns headed with the words *Baptisms* and *Burials*, there were no subordinate

divisions for receiving the distinction between *males* and *females*. It is, however, a distinction universally made, and as universally regarded as an instructing one. Can there be any difficulty or any trouble worth regarding, in obtaining the information relative to it?—In the *London Bills of Mortality*, you have it, if my recollection does not fail me. You yourself require it, as above, for the actually existing stock.

IV. *Houses, not connected* in the account with inhabitants. *Houses*, I observe, are included in the account required as well as *inhabitants*; that is, two *distinct* accounts are required to be given, the one of inhabitants and the other of houses. What I should have been glad to have seen is, a *connexion* between the two accounts, the account of houses serving as a *basis* for the account of inhabitants; each house characterized by some distinctive mark, such as the street, &c., where situated, with a *number*; and then the names of the several persons inhabitants of that house. As it is, what I am apprehensive of, is, that the number of houses may be given by one random guess, and the number of inhabitants by another; and what check is there upon inaccuracy in either case? Difficulties, I am sensible, may be liable to occur in respect to the describing the *situation*, and establishing *identity* and *diversity* as between house and house: but for these difficulties, the connexion I propose to establish will afford a simple and very effectual remedy. In the case of this or that house, how to distinguish it by itself and without reference to its inhabitants, might be matter of difficulty: but when the aid of such reference is called in, and the house is denoted by the description of the house, in such a *Lane*, such a *number*, inhabited by *John Brown*, his wife *Mary*, and so forth, the obscurity is cleared up, the difficulty is at an end.

A circumstance that (I am inclined to apprehend) may render inaccuracy the more frequent, is the general tendency there has been found to be, to make omissions in the account of houses: principally, I believe, with views of favour and indulgence, to enable the inhabitant to elude the pressure of some tax or other burthen; and, perhaps, not unfrequently to save the time and trouble of the examinations and journeys, that might be necessary to ascertain whether any, and what additions have been made, and where, to the number of houses, in the time that has elapsed since the last return or examination. This propensity, whencesoever derived, seems to stand in need of some counter-force to counteract it.—One may be, the making the designation of dwellings, and the designation of their respective inhabitants, serve as indexes of each other, as above proposed: the other, the requiring an averment sanctioned by an oath; or, perhaps, still better, by a simple penalty without oath, (but of this afterwards,) that the houses, given in as the houses contained in the parish, &c.,

are *really* all the houses; and the persons, given in as inhabitants of the respective houses, *really* all the inhabitants.

V. Mode of circulating the inquiries, &c.

Another topic is the mode of circulation:—I mean the mode of conveying to those by whom the information is more immediately to be obtained, the *instructions* designed for their guidance, in respect to the obtainment of it. On this point I have my fears on the score of *expense*. Not that I myself should grudge the expense, supposing it necessary, were it ever so much greater than the mode proposed would render it. But there are some that oppose everything; some that have a particular aversion to every species of information; and some that, in proportion as a measure is good—good, even according to their own conception of it,—take a particular delight in everything that can tend to present it as impracticable. To such eyes, a degree of expense, more than appears to have been expected, would be a discovery too valuable not to be made the most of.

Under the bill, the documents in question are to be transmitted, in the first instance to the *clerks of the peace* of the respective counties, &c., and by them to the several *acting justices* in each county, &c. But why not to the several justices at once? (if their intervention should be necessary, of which afterwards,) and that by the cheapest, surest, and quickest of all channels, the post-office? As to the ascertainment here in town, who, in each county, &c., are the acting justices, I should not expect to find it a matter of any difficulty. Acting justices are among those whose names are inserted in the several commissions for the several counties, &c.—those who have taken out their respective *dedimus*. In the metropolis there must surely be an office, one office at least, probably more than one, by which the list of them might be made out. If not, and at the worst, the clerks of the peace might send the lists to the *post-office*, from whence they might be conveyed to the respective magistrates, as well as to the several parish-officers concerned, (who cannot any of them be without their places of known residence,) without any additional expense. If this best and most appropriate of all channels be not employed, what must be the consequence? The whole business of circulation must be performed by special messengers, riding about the country at a great expense, and at uncertain and successive points of time, to do what might be done all at once, in the compass of less than a week at most, without any expense.

The more I reflect on the expense, the more I am alarmed at it. The organization of the official system for the execution of the measure,—the selection of the persons to be employed about it—is taken, I observe, (upon a principle, the prudence and propriety of which is beyond dispute) from an existing precedent,—the 25th G. III. c. 56, Anno 1785: the Act for making returns relative to the

Poor's Rates. What the expense was of collecting that information, according to the plan of collection there chalked out, I do not pretend to know:—I am inclined to suspect not altogether inconsiderable. Taken separately, the fees (I observe) are very moderate (not to say trifling and inadequate) in their absolute amount, at least in some of the instances. For each return made,—Clerk of the Peace, 1s.; High Constable, 1s. 6d.; Overseer, 2s.; Justice's Clerks, 1s.—total 6s. 6d. But, even under that act, the trouble of the Overseer must, according to the magnitude of his parish, have been from five or ten, to some hundreds of times as great as that of the Clerk of the Peace, whose fee was half as great: the Overseer having accounts to take, and answer to make to six questions, some of them of no small degree of intricacy; while all that the Clerk of the Peace had to do with them was, to suffer his servant to open the door to receive them as they dropped in, put them together into a drawer, make them up in a parcel, and send off the parcel to London by the coach. It is as if the book-keeper at an inn where the wagon puts up, were to have as much for *booking* a wagon-load of cloth or silk, as the manufacturer for making it. If these fees, such as they are, were the whole expense attending the execution of the act, (I speak of the existing act,) the expense would come under calculation; and, considering the magnitude of the object, would not be immoderate. The whole number of parishes and *quasi-parochial* places was, according to the returns made in pursuance of the act, between 14,000 and 18,000; say, for shortness, 15,000; 6s. 6d. multiplied by this number, gives £4875. But the riding about to deliver copies of the act itself to the several acting justices in each county, &c., and copies of the schedule containing the questions, to a person in each of the several parishes and *quasi-parochial* places, 288 per county upon an average, must (I think) have been a separate expense from the *receiving* returns, and transmitting them in the lump, as above; and it should seem a much more considerable one. This is the expense I would wish, if possible, to save.

Having proceeded thus far, an idea occurs to me which promises to present, at one and the same time, a recompense for labour, and a security for accuracy; the recompense better proportioned, and the security more efficient, than could perhaps be afforded by any other means. The minister, or other officer, to receive so much a-head (a farthing suppose) for every person comprised in his returns; penalty, on the other hand, for the omission of any person; greater penalty (say five times as great) for the omission of any house; much greater penalty for the insertion of any person or house not in existence. Call the number of persons twelve millions; this, at a farthing a-head, as above proposed, would give for the total expense on this head £12,500. Even this, con-

sidering the importance of the business, the labour imposed, and the security given for accuracy, does not seem excessive. But if it were, it would be easy to require two names to be returned for the farthing, and thus reduce the expense to one-half, viz. £6250: a parish contains inhabitants in all numbers; from fewer than 10, to more than 10,000: but, on an average, upon the above supposition of twelve million inhabitants, and 15,000 parishes, &c., there will be 800 inhabitants in each parish: 800 farthings, at a farthing a-head, gives for the average amount of such returning officer's fees, 1*l*. 8*s*. 8*d*. 800 half-farthings, 8*s*. 4*d*. Where the number of inhabitants was so small as ten, ten farthings, or ten half-farthings, would be sufficient; because the trouble not being worth regarding, nothing at all would be sufficient; where the inhabitants amounted to 10,000, and thereby the fee to £10, 8*s*. 4*d*. or £5, 4*s*. 2*d*. the trouble rising in proportion, the expense of it need not be grudged. The quantum of the fee being thus in each case matter of simple numeration, the amount of it might, upon proper authorization, be paid out of the parish fund; a fund which, in proportion to the magnitude of the fee, would be the larger, and better able to bear the expense. To render the proportionality as between labour and recompense absolutely perfect, the calculation, I am sensible, would require another *element* to be added to it; I mean that of *local extent*. Hard (it may be said) it would be, that the officer, whose field of inquiry extended over a vast and thinly peopled country parish, requiring journeys to explore it, and, as it were, hunt out its scattered cottages and inhabitants, should receive no higher recompense than he, the subject-matters of whose observations are collected together within the comparatively narrow circuit of a populous town-parish. But, (besides that, in country places, parishioners, from causes which it is not necessary here to insist upon, are better known to one another, and to the parochial officers, than in towns) the adoption of this ingredient into the calculation would require certain *data*, which as yet neither exist with sufficient uniformity, nor could be employed for this purpose without more trouble than would be paid for by the advantage: I mean a set of *parochial maps*. To combine for this purpose the considerations of extent and population, and establish in each case a *temperament* (to use a musical expression) composed out of the two, would be an operation analogous to that which found employment, for so many months, to a committee of the first National Assembly of France. Having carried the idea of proportionality on this ground to a pitch so much beyond anything which the statute book affords us any example of, the interval by which it still falls short of the mark of ideal perfection, will not afford room for much regret.

A map of this kind, for every parish, &c., would be useful even to the present purpose

(to say nothing of so many other purposes) in another point of view: I mean the marking down the situations of the several new built houses as they come into existence. But plans of this sort require deep consideration, and belong to other times.

The task, notwithstanding everything that can be done to simplify it, requiring, after all, an understanding not altogether devoid of culture, why not commit it at once, and that exclusively, to the officiating minister of each parish or place? Where there is a curate as well as a rector or vicar, to the curate, to the exclusion of such his principal: where there is no curate, then to the rector or vicar, only because there is no curate. This duty, like every other duty imposed by law, must have a certain mark to rest upon: it must not, by being left to float between two stools, be exposed (according to the proverb) to fall to the ground. In such minister we have an officer, who for every parish, &c., though not in every parish, &c., is sure to be found; for although it is not every parish, &c., that has a curate resident *within* its precincts, yet there is not any parish which has not either a rector, vicar, or curate, resident at such moderate distance as admits (what duty requires) his paying frequent visits to it. Who the individual is that fills the office in question, in each respective parish, &c., is a point, the ascertaining of which cannot present much difficulty to the local *post-master* of the town from which the place of such individual's residence receives its letters.

In naming the curate I have named a character, which, while it gives the result of the required communication a claim to confidence, commands our respect, as well as engages our sympathy, for the person on whom the duty is to be imposed. If, in these times of unexampled pressure, the rate of recompense should, in some instances, appear such as might otherwise be thought too high, the slight addition that might thus accrue to an income in the most plenteous times but too scanty, and otherwise unsusceptible of increase, might well be matter rather of satisfaction than regret; and I should hope that, in this case, the entire farthing would not be grudged. In such a station we may look with confidence for a person qualified to correspond with effect, with any central office or offices, civil or ecclesiastical: the *post-office*, for example, for some purposes; the office of the *Bishop's Secretary*, upon occasion, for other purposes; points might thus upon occasion be discussed, and doubts cleared up, and the letters being left open for the purpose, the corresponding parties might thus, without danger of abuse, receive that exemption which on such an occasion they ought to enjoy, from the expense of postage; and the ecclesiastical superior, the bishop, coöperating in his sphere with the intentions of the legislature, might, by the influence of his general authority, supply without difficulty any little

defects that might be found to present themselves in the *instructions* or *powers* afforded by the letter of the law.

Were this choice to be approved, a variety of movements which at present figure in the mechanism of the proposed act, (as they did in the existing act above alluded to,) might be discarded without much regret: justices' clerks, overseers, high-constables, clerks of the peace: perhaps even justices themselves.

Aided by this amendment, might we not carry our views a little further into the expanse of time? Population of the country for the *first* year of the century—so far so good: but if for that *first* year population be an interesting object, is there any *other* year in which it will cease to be so? Is not comparison, as between year and year, the main, if not the only, use of this and other such statistical accounts? Is the providence of the legislature to acknowledge itself *exhausted*, as it were, by a single and comparatively fruitless effort? The precedents afforded by other nations, the precedents you allude to, the domestic precedent, you not unwisely pursue, though without alluding to it (I mean Mr Gilbert's *Poor's Rate Return Act* as above mentioned) do not (it must be confessed) go any such length: they do not bear the marks of any such consistency or perseverance. But, however *precedent* may stop short, do not *reason* and *utility* point onwards. Nor has even precedent been at all times, and everywhere, thus lame. In Naples, I remember it well, (you will find it in an anonymous book by Pilate, intitled, *Voyages en divers Pays de l'Europe*, 2 vol., 12mo,) accounts of the population of the country were taken by authority for at least twenty years together; since, for a period of that length, the author gives it to us. Accounts for twenty years! twenty years' perseverance, in a line of communication which ought never to be interrupted! and what was the result? that in that small space of time, even in that immoral and ill-governed country, the population was more than *doubled*.

The exercise being thus repeated year after year, the task will, from year to year, grow easier. Points of doubt and difficulty (for of such it must be confessed the ground will not be altogether unproductive) will be cleared up. The mine of new cases will, by degrees, be worked out; experience will everywhere diffuse its lights; and the work will hereafter approach nearer and nearer to the perfection of accuracy.

The more I think of the two cases (that of the *Poor's Rate Return Act*, and the proposed Population Return Act) the stronger is the light in which the dissimilarity presents itself to me; and the stronger the reason for substituting the above proposed simplicity to the complication with which the mechanism of that act was (though then, as to a great part at least, not unnecessarily) encumbered. In that act, overseers of the poor were em-

ployed; why? because the information to be given was matter of *account*—pecuniary account; and the overseers were the accountants. With those accounts the minister of the parish had no more concern than any other parishioner. Among those accounts were many disbursements, the particulars of which it was natural to suspect, (and it was undoubtedly suspected,) that the accountants would be more or less unwilling to disclose; hence the provisions for meetings of justices to examine them upon oath; hence again the necessity of *notices* and *journies*, attended with no small degree of trouble and expense. But how do these provisions apply to the present case? Examinations to be taken *upon oath*, for the purpose of obtaining *at second hand* evidence given in the *first* instance *without* oath? If an oath is necessary, why not impose it upon the persons, the only persons, from whom the information it aims at is to come? If not necessary, why bestow so much trouble and expense on the imposing it upon a set of officers, who, but from hearsay, know nothing about the matter?

Here again comes an additional reason for committing the duty and power of collecting the evidence at first hand, the power of examining inhabitants in regard to the state of their families, to a permanent ordained minister; to the exclusion of all such miscellaneous and shifting characters as churchwardens and overseers. To the minister of religion the power of administering an oath may surely be intrusted without much scruple; especially where the object of inquiry and the field of power are included within such narrow limits. The beneficed clergyman, be he rector or vicar, (in many instances already a magistrate,) will in those instances be found in possession of ample powers of this sort; and, where education is the same, the want of the adventitious endowment of a benefice, will hardly, in the instance of a *curate*, be regarded as being to this purpose a serious ground of difference. On the other hand, in the case of the churchwarden or overseer, frequently an illiterate, or almost illiterate, farmer or mechanic, a power of administering an oath, and then of grounding examination on that oath, would be an instrument of too much potency and delicacy to be trusted to such hands.

Extra parochial places present a difficulty, (I am aware,) the removal of which is among the purposes for which the bill makes use of *justices*; but for this case provision might easily be made, by giving to the bishop the power of pitching for this purpose upon the curate (or if no curate, the beneficed minister) of any one of the contiguous or adjacent parishes.

"*Occupation what?—Agriculture?—Trade or manufactures?—Other laborious occupations?—Occupations not comprised in the three preceding classes?*" Questions highly interesting, no doubt, and to which the cultivated mind of

a clergyman would be able to furnish you (I should expect) with a satisfactory set of answers. But what sort of work would *your churchwarden* or mechanic make of them, especially when not called upon (for the bill does not call upon him) to apply them to each person, or to any person individually, but to fill up the heads with so many abstract numbers? What will he do in the case (and that by no means an uncommon one) where the same individual is, at the same time, or at different times, employed in two or three, or all four of these ways? In such a case, will the individual be ranked in all these classes, or in none of them, or in any and which of them? Difficulties like these, require for their solution faculties which, on the part of any clergyman, I should look for with some degree of confidence; but which, in the case of your farmer or country mechanic, I should have little hope of seeing generally surmounted. My clergyman might, upon occasion, help you out with an additional column of his own contrivance, make use of your general columns as far as they were applicable, and where a particularity occurred, make a *special case* of it; but, of this logic, or, if you please, this metaphysics, (for really it is what the function requires,) what could you expect to receive from *John Ironsides the blacksmith*, or from *Farmer Hodges*?

A population table being once made—made for one year, made by hands of this description, and confided to their care, as in the case of the register of the baptisms and burials—might, with a degree of trouble comparatively minute, be continued through every succeeding year: *comers-in by birth*; *comers-in by migration*; *goers-out by death*; *goers-out by emigration*: added to the original stock, as exhibited by the table of the first year, the number under these four heads would carry on the account. Would you have *change of occupation* noted likewise?—It is a matter, I trust you agree with me, not without its difficulties, but by degrees, and from a fixed set of instruments, and these qualified and sifted, by an interchange of instructions and applications for further instructions and explanations on both sides, it might doubtless in time be brought about; and a satisfactory and improving mass of information might be thus collected from all quarters relative to all these points, and continued in an unbroken chain from year to year. But your farmers! your mechanics; and without a clue to guide them? But, forgive me, I have done.

A word or two only about *collateral* uses. All births are not followed by *baptism*. Hence a variety of *gaps*, such as a resident hand, guided by a cultivated mind, and directed by a competent authority, in a central situation, might have it in charge to fill up. To the eye of a persecuting Legislature, the wish of humanity would be, that the distinctions I allude to should be invisible; but I trust we have seen the last of persecuting legislatures.

In the clergyman of the parish we behold—we wish at least to behold, the *pastor*: in the parishioners, his flock. It will not surely be deemed a result altogether uninteresting or indifferent, if, in virtue of the exclusive choice I have ventured to propose, the pastor should, throughout England, be as universally well acquainted, as throughout Scotland, with his flock.

CENSOR.

Bentham employed much of his time in the year 1800 in endeavouring to establish precautionary arrangements for the prevention of forgery. He wrote a pamphlet on the subject, which he sent to the Governor of the Bank of England, from whom I have a written acknowledgment of its having been received; but no evidence that any of the suggestions had been adopted, or seriously considered. The papers were sent to Dumont with this note:—

“15th May, 1800.

“MY DEAR DUMONT,—The accompanying forgery papers I send you for a stay-stomach, to keep you in good humour. Take care of the newspaper, as well as of the letters. B. is said by C. to be the managing man at the bank, and the only man almost among them who is not below par. In a few days I will return you your papers, and you will return me these. The Ordinary of Newgate told me the other day of his having been at a deal of pains to pump a man who was hanged for forgery, and from whom he got and sent to the bank a plan for the prevention of forgery in the way of alteration; but the bank took no notice, not so much as acknowledged the receipt of his letter.”

One cannot wonder that Bentham's humane feeling was greatly excited on this subject. He collected all the facts he could gather together relating to the forgery of bank notes. Among them I find a memorandum that, from February, 1800, to April, 1801, more than a hundred persons were executed in this country for forgery alone. Another note mentions that the Bank of England was at one time engaged in forty-five indictments at the different assizes, (January, 1802.) Bentham communicated his views to the Bank of Ireland through

Lord Sheffield. I insert a letter from Bentham to Mr Colquhoun, and his answer thereto, on forgery, and the correspondence with the Bank on the subject.

BENTHAM TO PATRICK COLQUHOUN.

"Q. S. P. 18th May, 1800.

"MY DEAR SIR,—Having a *real* and *prompt* occasion for the paper in question, I trouble you with an ostensible letter for that purpose.

"I do not expect them to do anything in consequence, nor does it seem at all to be wondered at that they should not. The mischief does not come home to them in any shape. At one time they thought it necessary to take upon themselves (that is their constituents) all losses from that source—the credit of their paper, they feared might suffer by them, if left to be borne by the individual. They have tried the experiment, and the credit of their paper is not affected by it.

"Nicholson, in his advertisement, speaks of thirty instances of conviction, or, at least, prosecution for Bank forgery. It may be believed (I suppose) when speaking of a matter of fact in its own nature so notorious.

"Dr Forde the ordinary of Newgate, to whose share it happened to fall to attend one of the convicts in question in his last moments, drew from him a confession of his plan of operations, with an indication of a plan for frustrating them. He drew up a paper, and sent it to the gentlemen in the Direction. They did not so much as acknowledge the receipt of it. I had this t'other day from the Doctor himself, who (making use of Mr Baldwin's name) came to canvass me for the clerical situation in my disposal, preferring it to his own, the irksomeness of which is not diminished by habit (he says) as he had expected. He mentioned this plan of his in the course of conversation, little suspecting the labour that had been bestowed in the same vineyard by the person he was speaking to. Forgery, in the way of *alteration*, was the subject of *his* plan.

"In one or more of your Monthly Magazines, there are letters by, or on the

part of, somebody, who had addressed to the same quarter a plan on the same subject, and which had experienced, it seems, a similar reception. He writes in a great rage, and knows not (it seems) how to account for the neglect.

"Meantime individuals are plundered, and every now and then a caitiff swings. But what is that to the gentlemen of the Bank? They are never the poorer, and their friend, the solicitor, is the richer.

"As to your friend, Mr B., he may be a very excellent Bank Director, but it is plain he is not of the Colquhoun breed. Where is the wonder? How few are!

"Having been at the trouble of writing a paper, it will be very little addition to that trouble to send it to some of the periodical publications, which, one of these days, I think to do. Two good purposes may be answered by it: one is, that, by this means, it may one time or other draw the attention of some leading man, with whom the prevention of crimes may chance to be an object; the other is, that it may save a good deal of what would be otherwise lost labour on the part of ingenious men, and prevent their tantalizing themselves with golden dreams.

"Golden dreams, by the by, puts me in mind that I have a crow to pick with you: What devil could have put it into your head that *I* was to '*reap any profit by my suggestions?*' I had laid up a volley of scoldings to let fly at you; but, when you called upon me, we got talking of other things, and I forgot it. I am, my dear Sir, yours ever."

PATRICK COLQUHOUN TO BENTHAM.

"21st May, 1800.

"I mean to go to the Bank on purpose to-day, to see Mr Bosanquet on the subject of your paper on forgery, &c. The conduct of the gentlemen appears to me to be very strange. They are morally bound to protect individuals against frauds, and they ought to be roundly told of it.

"I really want to converse with them on the subject, particularly with Mr Bosanquet. I am very much hurt; and

were I not accustomed to neglect of this sort, I should be in a considerable degree enraged; but this answers no purpose.

"I am confident you accuse me wrongfully, in conceiving I ever allowed any person to believe that you looked for profit. Be assured, I am too tenacious of your dignity of character, to let it down in the opinion of any man. I certainly never wrote or said anything that could admit of such a construction—namely, 'that you looked for money, or wished to make your suggestions a matter of profit.' It ought to be so: but what ought to be, ought not in point of prudence always to be mentioned.

"I was with Mr Dundas yesterday about the bill. He has spoken strong language to the General on account of the delay. I am authorized to see him and the Solicitor-general, and to get the matter brought forward immediately. Mr Dundas has read the bill. Mr Pitt has perused your abstract, and told Mr Dundas that from it he had a perfect conception of the measure. The Attorney-general who has now read it, only objects to the detail about Lumpers, &c. being more fit to make a part of the by-laws than to remain in the bill. I hope to see him and the Solicitor-general tomorrow. Mr Dundas said he must trust much to Mr Abbot, whose assistance he meant to solicit, and the merchants will do the same.—I am," &c.

In the year 1800, Bentham conducted a correspondence with the Emperor of Russia and divers authorities in Warsaw, on behalf of the widow of his friend, Lind,—to whom Stanislaus, the last King of Poland, had granted a yearly pension of 1000 ducats. Stanislaus had made his personal property responsible for the amount. Strongly and eloquently and successfully did Bentham urge the claims of Lind upon the justice of the Tzar. Lind had been for many years a privy-councillor, the tutor of Prince Stanislaus Poniatowsky the king's nephew,* and, also, the director of the Cadet Establishment, a corps of 400 young men. Five hundred ducats were

granted in 1779 to the widow, yearly, if her husband died before her. He died in 1784. Up to 1794, the pension was regularly paid. Then came difficulties and delays,—and bargainings and deductions, and consequent embarrassments and sufferings. But Bentham not only made direct application to the Emperor Paul, but called in the services of Lord St Helens, and other influential friends, and obtained a final and honourable settlement, in spite of a thousand difficulties and resistances. The correspondence is too long for insertion.

The parties originally consulted had been endeavouring to involve the widow in law proceedings—had incurred expenses—and had been intriguing to get money for law charges, and for compliments, and for secret management. To all this Bentham would not listen. "Not a *doit* shall they have," he writes; "but what they shall have is a letter declining their plans of management, with all possible civility. Poland, unfortunately for the poor lady, is in the moon; so his majesty has no representative at Warsaw: but from Berlin, perhaps, a neighbouring eye might look, and from an exalted station, and, peradventure, keep or bring Messieurs the Secretaries and Lawyers within the pale of honesty." And so it was. As a specimen of Bentham's epistolary Latinity, I give his letter to the Polish lawyer:—

"*Londini, 23d Dec^{bris}. 1800.*

"*Clarissimo Viro Domino Klięger apud Varsoviam Juris-perito, Jeremias Bentham Anglus, Salutem.*

"Initium circiter mensis Septembris, Dominus Baro de Vincke, sub Rege vestro Officium quod vocatur *Landrath* apud *Minden* gerens, cum apud nostrates versaretur, in epistolâ ejus ad Dominum Comitem de Dohna apud Berolinenses, percontationes quasdam, me rogante, inseruit, quarum finis erat, gratiâ Domine de Lynd (Domini de Lynd Stanislaus Poloniæ Regi olim ab intimis consiliis viduæ) ut sciretur ecquâ spes ipsi maneret, *pensionem* (sive stipendium) dictæ Viduæ ad vitæ terminum, a Rege prædicto sub hypothecæ obligatione concessam, et per multos

* See above, p. 56

annos fideliter solutam, in futurum rehabendi.

"Initium circiter mensis novissimi Novembris, venit inde ad me a Comite praedicto urbanissima epistola, ad percontationes quidem ne verbum continens, sed epistolam includens a te, Domine, ad ipsum Germanico sermone scriptam; cujus interpretatio est, ni fallor, te jamjam, eo nomine, bona aliqua, id est, eorum possessorem vel possessores, in jus quodammodo vocasse. Quo magis id praeter spem acciderit, eo magis nos tuæ, Domine, vel ejus, humanitati, vel utriusque devincto sentio, quæ, justitiæ ergo et temporis praeiipiendi studio, (mandatum enim omnino nullum, a meâ saltem parte, percontationes comitatum est) formas juris quasi per saltum praetergressa est. Jam vero, rebus plane in incerto, sicut ante epistolam Domini de Vincke, manentibus, viduâque a litigatione abhorrente, ut ne tibi plus quam fas est molesti simus, visum est, per Legatum Regis nostri apud vestri Regis curiam, percontationes easdem iterare; eo magis quod hîc fama est non levis, bona patronymica Regis infelicis penitus esse absumpta.

"Interea, siqua in contrarium notitia, vicinitatis vel professionis beneficio, tibi acciderit illuxisse (verbi gratiâ—tale aut tale praedium, cujus proventus annuus est talis aut talis summa, in manibus talis aut talis possessoris nominatim restare, de quo constaret id sub obligationis de quâ agitur vinculo manere,) idque tibi placuerit, mihi, vel per occasionem ordinariam vel per Legationis praedictæ beneficium, litteris mandare,—in tali casu persuasum habeo, rogo, quod ad nos attinet, neque ad justitiam obtinendam, neque ad justitiæ ministros laborum et peritiæ præmiis uti par est, prosequendos, debitam solertiam de futuram esse.

"P.S.—Epistolæ ad me ventitant sic inscriptæ:

"To Jeremy Bentham, Esquire,
"Queen's Square Place, Westminster."

There is in a letter to Mr Mulford,*—(24th Dec., 1800,) who was accustomed

to address Bentham as "Dear Councilor," while Bentham invariably dubbed him with the title of "Dear Doctor,"—this passage:—

"I have no precise recollection of my ever having informed you of my being an honest fellow, though I do not mean to deny but that it is possible I may have said so before now; or at least, something like it, the rather as I am sometimes inclined myself to suppose I may perhaps be nearly as honest as other rogues,—one thing I am altogether clear about, which is, that I am a very poor one. However, such as I am, you have an undoubted right to command my best professions.

"So much for badinage,—the language of which is as ready to my pen and my lips as any other, though my heart be ever so heavy, and sure enough it is, that since I last had you by the hand, any more than for a good while before, it has never been otherwise. And now, my dear Doctor, permit me to assure you, in sober sadness and sincerity, that I am tenderly and gratefully affected by so serious and convincing a testimony of your regard and confidence. Were the trouble ever so much greater than it is likely to be, or you suppose in such a case, I should not grudge it.

"Remember, at any rate, our Barking pilgrimage for the spring. Being of a melancholy cast, a melancholy mood is favourable to the remembrance of it; and to fix it the better in your memory, I thus put it in black and white."

A correspondence took place between Bentham and George Rose, on the Annuity-Note scheme,† to this effect:—

BENTHAM TO GEORGE ROSE.

"Q. S. P., Westminster,
"3d January, 1801.

"Of the plan of which the accompanying MS. contains the two last chapters, the three sheets that have been printed, together with the two tables, have been recommended to your notice, (I understand,) by Mr Nepcan. These two last chapters being so short, I could

* As to whom, see above, p. 22.

† See Works, vol. iii. p. 105 et seq.

not resist the temptation of adding them in this way to such part of the work as I have been able to submit to you in a more commodious form. Any other part might be brought forward in the same way; and had it not been for the apprehension of overloading you, I should have added, even now, another chapter, (Ch. xx.,) in which is displayed the peculiar facility afforded by the proposed plan for the performance of that operation, (the reduction of interest,) which, in some way or other—at some time or other—will be to be performed at any rate; a facility which, I think, would be found to amount in value to some millions.

“There are some documents which, perhaps, you might have no objection to my being furnished with, and which would enable me to carry on the investigation in some points with increased advantage.

“The quantity of letter-press that has been kept standing is so great,—a considerable part of it for these five or six months,—that I am under continual apprehension of being obliged to break it up;—at the same time, how many copies to print,—or *whether to go on* with the impression at all,—are points, in relation to which I should be extremely sorry to come to a determination, while thus in the dark as to all particulars I stand in need of for my guidance.

“Under these circumstances, if your time admitted of your obliging me with some *general* communication of your sentiments, from which I might judge whether any further labours of mine on this ground presented any chance of being of use, it would be no inconsiderable addition to those testimonies of your regard with which I have been honoured in former days.

“Decision on the affirmative side, at least, is, in the present stage of the business, altogether out of the question; but if I were fortunate enough to know that the plan were so far thought deserving of attention, as to be set down for serious *consideration*, no exertions, past or future, on my part, would be grudged, whatsoever might be the result.

“I cannot help thinking but that, if

taken up with spirit, it might, by the prospect it would bring to view, have some influence, perhaps, on the terms even of the *next* loan; at least, if the proposed paper were, from the outset, made receivable all over the country in payment of taxes. As to the quantum of the profit, it were too much to regard it otherwise than as uncertain in the extreme; on the other hand, it requires neither sacrifice nor risk to purchase it. At the present price of stocks, if you sold but £100,000 of the proposed paper the first year, you would gain between £37,000 and £38,000 by it.”

GEORGE ROSE TO BENTHAM.

“January 5, 1801.

“Mr Nepean put into my hands, some time ago, the proofs and some MS. notes of your intended publications, which I really had no leisure to look at while I was in town, owing to a more than usual pressure of business upon me, from the circumstances arising from our present difficulties in various respects; I really intended to have brought the whole with me here, in order to have bestowed the attention upon them which the importance of the subject, and the application of your talents and labour, entitle them to; but, unfortunately, in the hurry in which I left London, I left them there secured, where no one could find them in my absence. I will, however, on my return, before the meeting of Parliament, look carefully through what you have written, and endeavour to get Mr Pitt's attention to it, which would be a thousandfold more useful than mine.

“I should be unpardonable if I were to allow you to lay aside any publication by a judgment of mine.”

BENTHAM TO GEORGE ROSE.

“Q. S. P., January 10, 1801.

“Foreseeing, as not altogether improbable, the accident which in the letter I was honoured with, dated the 5th instant, you speak of as having actually taken place, Mr Nepean, I understand from him, had addressed to you (on what precise day I know not) another copy, which, from your silence in relation to it, he supposes to have been

prevented by some accident from reaching your hands. It is on this account that, at his suggestion, I take the liberty of troubling you with the enclosed. In consequence of some typographical arrangements that have intervened, this third copy has the advantage of carrying the thread of the argument a little further than either of the two preceding ones; and comprising an account, by which it is shown how much more eligible a property the proposed Note Annuities would be to the holder in comparison of the existing Stock Annuities, for the investment of even large sums, if for a short or uncertain length of time, or of small sums for any length of time, though the burthen to Government would be less than 3 per cent., by which, at this time, little less than 3 per cent. would be saved. The intention you have the goodness to express, of recommending the plan to the notice of Mr Pitt, cannot but be highly flattering to me. In the same state in which you receive this, I could, to save time, send him one before your return; but this will be as you think best."

On the Banking question, Bentham was induced to correspond with Laureate Pye.

BENTHAM TO HENRY JAMES PYE.

"Q. S. P., February 25th, 1801.

"Frustrated for the moment in the object of my call, by the unwelcome intelligence of an indisposition confining you to your room, I take the liberty of addressing you this way on the subject of it, instead of waiting for an opportunity of addressing you in a way which, perhaps, circumstanced as your health is, may be more troublesome to you.

"I met you not long since at Mr Wright's; your visits at that emporium of politics are, I understand, not unfrequent. Mr Boyd's pamphlet* on the affairs of the Bank appears to have drawn considerable attention; a second edition, with replies to his answerers, I see advertised for Friday.

"A field of inquiry, a corner of which

only is touched upon by his pamphlet, has occupied a considerable share of my attention for some time. Where he sees danger, I see none: from his remedy it seems to me as if something (though, I believe, not much) might be hazarded, at the same time that there is absolutely nothing to be gained.

"On the other hand, where he sees no danger, I see much, accompanied at the same time with vast benefit, and I think I see a set of expedients whereby the danger might be removed—at least, in a great degree—and, at the same time, the benefit preserved entire. This may one day, perhaps, form part of a regular work, not dependent on times or persons; but *en attendant* the occasion presents one with a few observations grounded on Mr Boyd's pamphlet, and the controversy to which it has given rise. My inclination that way is strong enough to dispose me to bestow a few days of my time upon the occasion, but not to hazard any money upon it.

"To return, then, to Mr Wright and his laurel'd visiter. If the one personage, at the recommendation of the other, were disposed to usher my feeble production into the world, the whole of the profit, if any, should go in recompense for the risk, deducting some such matter as a couple dozen copies to give away.

"According to the known law of nature, applicable to these cases, the *weight* of recommendation is as the *height* it falls from. I have taken my *altitudes*—and the result is, the trouble I am thus giving you. Believe me to be, with all respect, &c.

"P. S.—The pamphlet in question being as yet unwritten, (which follows, of course, from its being an intended examination of an augmented edition not yet published,) a bookseller might perhaps think it necessary to prescribe a *maximum* in regard to time. If so, the greater the latitude, the better for author and work."

In this year, (1801,) I find a series of letters in French, addressed to Mrs Romilly, in a female hand, entreating her husband's interference to obtain from Bentham his project of a Civil Code. Tho

* Letter, on the Influence of the Stoppage of Issues in Specie on the Price of Provisions. &c. 1801.

name of the lady was not communicated to Bentham: but she says, 25th March:—

“I am required to write, again and again, to subject myself to the charge of importunity; but we are occupied with the great work ourselves, and want the aid of Bentham. The extracts published in the *Bibliothèque Britannique* have excited the liveliest curiosity. Bentham cannot refuse his aid, when our object is so meritorious. There is really here, at this moment, an eager desire to do good,—nay, I may say, a benevolent fermentation,—which is very impressive. Will it lead to practical consequences? You will doubt: but you will not doubt that such a tendency is wise and praiseworthy, and that it ought to be encouraged. Improvements in our hospitals and poor-houses are really in demand; and my eldest brother, who is one of the *administrators* named for this object, is so zealous, that I expect we shall call on you soon to aid us in this particular.”

Again, 30th March,—“Don’t be surprised if I write again, though I wrote on the 20th and the 25th; and I ought to be discreet, remembering that we are inhabitants of two countries, which horrid politics have made enemies; but we want Bentham’s Civil Code. Mr Romilly will not fancy we shall turn it to a good account. Those who are charged with the preparation of our Code are infinitely desirous of having it.”

On the subject of an appointment to Paris, to negotiate a Peace, which had been talked of as offered to Lord St Helens, Bentham thus writes to him, 4th April, 1801:—

BENTHAM TO LORD ST HELENS.

“Q. S. P., 4th April, 1801.

“There is something in what you say, my dear Lord, as to the considerations which might have warranted a man in your case in the expectation of being employed for such a purpose: but there is one qualification in which, not ‘setting aside self-partiality,’ but calling in every possible assistance from that quarter, you must acknowledge yourself deficient: and that is the being about to

be favoured with the bonny hand of a daughter-in-law of the Earl of Liverpool. It seemed a plump one, as I thought, upon a distant view in my garden—the only one I was ever honoured with—and that a very imperfect one: but my brother, who, I suppose, before now may have had it in his, could give a more correct account of it.”

“19th April.

“*Ecce iterum*—And now, my dear Lord, in returning the kind token of your remembrance, (Peltier for 30th March,) I send you a still more formidable project than the preceding—with an invitation—a petition—for you to try your hand at ‘ferreting out the fallacies’ of it. Mr Rose promised, three or four months ago—and even in writing—to place it with his own secretarial hands—and that right soon—on that great theatre of oscitancy and procrastination—the table of Mr Pitt. Another copy will be put into the hands of Mr Vansittart, by our Romilly, sooner than I could flatter myself with the hope of receiving the benefit of any scrutiny you might have the goodness to bestow. You would oblige me much, by authorizing me to say, that you neither have communicated, nor will, without my particular consent, communicate anything about the plan to anybody else.

“When the D. of Portland is out of his present office, and Mr Pelham in his room, I have a further plot upon your kindness on the score of Panopticon, in relation to Mr Hatton, with whom, I understand from Wilson, that your lordship is on terms of intimacy. As to his colleague, a better notion of him might be obtained from Nepean than me. Something may be collected from a letter to Mr Addington, which, though too long, I will e’en load you with, along with the rest.

“J. B.”

Romilly says on the 8th April:—

“I put your plan (for the prevention of forgery) into the hands of the Attorney-general, who said he should be glad to read it; but I have no doubt that he will make no use of it—for he seems to

care little about his bill. In truth, it is not in his own measure. He has been desired by the Bank to bring it in, and the bill was put into his hands, drawn by the Bank's solicitor, and perused and settled by their counsel."

Bentham wrote to Vansittart, (now Lord Bexley,) on the 20th April, respecting his Annuity-Note scheme* :—

BENTHAM TO NICHOLAS VANSITTART.

"Enclosed are a few printed sheets, the impression of which I had brought on thus far, for the purpose of the communication I accordingly made of them to Mr Rose, who, in a letter from the country, dated the 5th of January last, was pleased to say : 'I will, on my return, before the meeting of parliament, look carefully through what you have written, and endeavour to get Mr Pitt's attention to it.' (See above, p. 340.)

"From that time to this, I have neither addressed him by letter, nor made any attempt to obtain an interview—circumstances sufficiently obvious presenting to my mind the requisite share of attention, as altogether hopeless.

"Knowing, as I had occasion to do, how insufficient his time was to the demands continually made upon it—this, added to some other considerations, better omitted than expressed, had concurred (as I had mentioned more than once to several friends) in determining me, in the event of my being favoured with an interview on the subject, to have proposed a request on his part, to the defender of British prosperity, against Jasper Wilson and Mr Morgan, to give the plan a perusal, and report to him how far, if at all, it might be worth his notice.

"At that time I little suspected how near we were to that period (a joyful one to me on more accounts than one,) at which official was about to be added to personal competence. The immediate object of the present address is—to take this chance for learning any wish or opinion which Mr Addington, upon your statement, might possibly entertain in regard to the publication of a plan of the nature of that which is now before you. My reason is—that should it happen to

be regarded as possessing any claim to notice with a view to practice, circumstances occur to me, which might perhaps be productive of regret, were it to have been previously divulged in the way of ordinary publication. Some temporary reserve might possibly be deemed advisable, in respect of the particular interests that might be affected, or supposed to be affected.

"The French Government, in the event of their regarding it as beneficial and applicable to the circumstances of that country, (an application to which I see no conclusive obstacle,) might chance to take it up: in which event, at the comparative rate of progress as between the two Administrations, meaning of course the late for one of them, the measure might have produced its fruit in that country some years before a glance had been found for it in this. The surmise about France will already have brought a smile upon your countenance, when, on turning to the name at the end of this paper, you find it too obscure to have ever met your notice; scarce, indeed, would the idea have passed the limits of my own breast, had it not been for some proofs that unexpectedly enough have just fallen into my hands,—of the anxiety with which everything that bears that name is sought after at this moment with a view to immediate practice. Whether to suppress altogether, or, if to print, whether to print for publication, or only for private distribution, (50 or 100 copies, for example;) whether there be any other commands which Mr Addington might be disposed to honour me with on the subject, or assistance to afford me upon occasion in the way of information: such are the points in regard to which I should be glad to be informed.

"The produce of the tax on country bank paper, for example, distinguishing the magnitude of the notes. The returns that have been printed,—such, at least, as have reached me,—go little, if at all, beyond the produce of the first quarter, and without any distinction. You might, perhaps, see no objection to my being furnished with any such information on that head as could be come at without too much trouble. For these

* See Works, vol. iii. p. 117 *et seq.*

six or seven months (I think it is that) the press of all, or most of these pages has been kept standing for the chance of hearing from Mr Rose,—the patience of the printer has been beyond all expectation; but I cannot depend upon the being allowed to trespass upon it much longer. The expense *thus far*, according to his account, has been uncommonly great, though he has not given me any information of the amount of it. The further expense of completing for publication would, I believe, hardly come within a hundred pounds. The assurance of what, in lawyers' language is called a *fair hearing*, would be accepted as a good and valuable consideration for any such expense, whatever might be the result; but without some such consideration, it would be rather too great a sacrifice for a man whose property has already suffered a defalcation to about a hundred times the amount, from the confidence he was unfortunate enough to place on the good faith of some of your predecessors.

"In dismissing the topic of money, allow me, Sir, to add—unknown to you as I am—since it may help to put both of us at our ease,—that there is no trouble on the occasion of this business that I would not gladly take upon me, nor any pecuniary indemnification, not to speak of remuneration, that I would accept for it.

"Anxious to guard, according to the measure of my faculties, against the delusions to which the subject is so particularly exposed, the chief part of my time, for about these two years, has been occupied in an endeavour to sound the depths of it. The result has not been favourable to the country banks; and whatever may be the fate of the proposed government paper, I am preparing a pamphlet, to which I think of giving for a title, *The True Alarm*, (in contradistinction and reference to Mr Boyd's, which appears to me to be in great measure, though perhaps not wholly, false,) or *Thoughts on Pecuniary Credit*,—its advantages, inconveniences, dangers, and their remedies. By the *inconveniences*, I mean *rise of prices*, (allowance made for the still greater, but temporary

effects of bad seasons.) By the danger, I mean that of general bankruptcy. By the remedy, I do *not* mean the *suppression* of paper money,—a remedy which would at once convert the *danger* into the height of the disease.

"The second of the two copies is sent under the notion that, in the event of your not having at present any time at command to bestow upon the plan, you might, perhaps, find a relief in consigning it to the scrutiny of so able a pen as that of Dr Beeke,* whose assistance, were he to favour me with it, would eventually be of the greatest use. Any objections or doubts that might occur to him, I should hope to be favoured with the communication of, and in a form specific enough to admit of discussion."

Vansittart's objections to the plan were answered by Bentham in the communication which follows:—

BENTHAM TO NICHOLAS VANSITTART.

"Queen Square Place,

"Westminster, 24th April, 1801.

"SIR,—I was not more flattered than surprised by the attention you have in so very short a space of time found means to bestow upon my plan, amidst occupations so urgent as yours must be: and in the account of 'confidence,' I must acknowledge myself richly overpaid by receiving so much from an office from which so little was to be expected: I mean by the communication made of the first runnings of your mind in black and white, which, as far as time can be afforded for it, is, according to my experience, a much more effectual mode than *vivâ voce* conversation for the discovery of truth, though, unquestionably, on occasion, both modes may have their use.

"In looking over your extempore list of objections, it was no small satisfaction to find them grounded, as far as appeared to me, on a momentary misconception in regard to the prospect of the plan itself, and so far (whatever further objections may come to be suggested by a closer scrutiny) not indicative of any

* Dr Henry Beeke, author of *Observations on the Produce of the Income Tax*.

ultimate difference between us. Misconceptions of this kind, I, in whose brain the plan originated, have too frequently caught myself falling into, not to regard them as more or less inevitable on the part of anybody else.

"Not to overload this letter, I dismiss my answers to a separate paper, in which form you may either throw them aside definitively, or postpone them for future consideration; and, in the meantime, hand them over to any third person—for example, Dr Beeke.

"I will not attempt to nail *your* attention any closer to a subject which has no necessary claim to it, and may never pay for it; but, in case the Doctor should amuse himself with it, I should hope to find, that any objections he may think worth communicating, had been minuted down opposite the particular articles to which they respectively applied; and that, if, in any note, or any explanatory chapter, he found an answer which appeared to him insufficient, he had expressly referred to it as such, rather than pass it by without reference—not forgetting, that out of seventeen chapters you have yet but three, with the commencement of the fourth.

"For the *statesman*, it was necessary to present the plan under all its possible extensions and modifications, for the purpose of enabling him to take a view of whatever effects might follow, or be derivable from it. But to suppose that, in any such complicated form, it is proposed to be presented to the uninformed minds of the experimental set of expected customers, is a supposition on which the most express negative is put at the very outset of the Introduction, besides other places.—I am, &c.

"P.S.—The day before yesterday, while the House was already sitting, I took the liberty of sending in to you a short paper on the subject of the *Bank Forgery Bill*, under the impression that you were to sit upon the Bill that very day as Chairman. It was written in extreme haste, (without any copy kept of it,) and without any better evidence of the contents of the Bill, than what was to be collected from two newspapers.

"All paper money being, equally in

proportion to the amount of it, the current money of the country, should not every one of the self-erected mints in which it is allowed to be coined, be possessed of the best security that can be given to it against forgery, and in that respect the same security?

"The idea had occurred to me of extending to all *emitting* banks the sort of appropriate paper proposed by me for the Bank of England, to be devised and prescribed by Government: with the *collateral* view of deriving from the appropriation an assistance to the Revenue. With or without design, the *stamp* prescribed, with a *direct* view to *revenue*, has had the *collateral* effect of affording something towards the species of *security* above proposed; to wit, by the *complication* to which it has subjected the process of forgery. But is the degree of security thus afforded anything to compare to what *might* be afforded on the same principle?"

Again:—

"DEAR SIR,—I have to thank you for the favour of your obliging letter of yesterday.

"If it would in any degree facilitate a decision on the subject, to place it in the clearer point of view, or lessen the labour of taking a survey of it, I could, and very readily would, give an abridged sketch of the argument contained in the long paper, leaving out what I look upon, and from the first did, in this as in all other cases, look upon as a surpluse, viz., everything that savours of personality. By confining one's self to a bare indication of the topics, it might be brought perhaps into the compass of a single sheet, written on one side. But as there might be a great deal of it lost labour, proving what was already clear and settled, if it were agreeable to you to send it me back with short marginal notes, just to say, relative to each point, whether you agreed with me—whether you definitively and positively disagreed with me; or whether the question appeared at the moment remaining in doubt, and requiring further elucidation. In short, where the shoe pinched, and where it did not pinch.

“ If, in a subject so involved in obscurity, and, consequently exposed to error, you will repose so much confidence in me, as to trust me with the first runnings of your thoughts, at the hazard of their appearing erroneous to your own maturer consideration, you may depend on my not making any ill use of your confidence; or, if you lay your injunction on me to that effect, so far as trusting your memoranda to any other eye. The idea may strike you as a presumptuous one. Of all the persons whose opinions on the subject have passed under my review, I know not of one to whom errors may not in any view of the matter be imputed; and there is scarce any erroneous opinion, which, when the erroneousness of it comes to be pointed out, and placed in a clear light, may not appear absurd to a degree of ridicule. In my own instance, this has happened to me many and many times. Yes—many times have I caught myself in harbouring ideas—in making suppositions, which, when compared with one another, turned out to be repugnant to one another, and incompatible. At this moment, I have before me a point on which Mr Pitt, Mr Fox, and Mr Boyd, present themselves in my view, as concurring in one error, such as, when once pointed out, appears so palpable, that a man would wonder how anybody could have fallen into it.

“ On every new point, what errors remain to be discovered, the event only can show; but with very moderate and inferior faculties, there will be nothing wonderful, if a man, who for these two and a half years has thought of scarce anything else, should not have hit upon some truths which have escaped the notice of those who have not had leisure to bestow upon this subject, amidst the crowd of so many other more pressing ones, more than here and there a momentary glance.”

The letter from Vansittart, alluded to in Bentham's of 24th April, follows, with the detailed answers to the objections implied in it.

NICHOLAS VANSITTART TO BENTHAM.

“ Thursday morning.

“ SIR,—I feel very sensibly the mark

of confidence and esteem which you have offered me in the communication of your unpublished work. I have not yet had time to give it the attention which everything which comes from your pen must merit, and therefore can give no opinion as to the plan itself. Dr Beeke, I have no doubt, will be happy to contribute his assistance in any way which can be useful; and you will find that he has paid much attention to such subjects.

“ I cannot help thinking (at first sight at least) that any subdivision of the *unit* or *standard* note would be unadvisable. In the first place, any interest note seems to me ill calculated to supply the place of metallic money in small payments, as the variation of value would render it perplexing and unintelligible to the common people, and expose them to imposition, notwithstanding any contrivance of tables, &c. In the next, I am afraid we have already a larger proportion of paper circulation than is consistent with our security in times of public alarm; and in the third, it would be very difficult at any office to make an actual payment of interest on the small notes on account of their dispersion and multiplicity. But these, and any other observations which may occur to me, I shall be glad to talk over with you, when I have better considered the subject.—I am, Sir.”

April 21, 1801.

OBJECTIONS TO THE ANNUITY-NOTE PLAN, WITH ANSWERS.

Objection 1st,—*We have already a larger proportion of paper circulation than is consistent with our security in times of public alarm.*

Answer,—What the objection assumes is, that the object of the plan was to make an addition to the mass of paper in circulation, or, at least, that such would necessarily be the effect. But this was certainly not the object of the plan, nor, if my views of the matter be correct, would it be comprised in the number of its effects; and if I were mistaken in this point, the excess might be, and ought to be, repressed by measures which, in my view of the matter, will be necessary, although no such measure as that proposed should be adopted. In the first page of the Introduction, I state myself as aware of the superabundance of paper in circulation; and as relying upon the plan as a remedy, and such a remedy as cannot be matched by any other for efficacy and security, to the superabundance.

Since then, my suspicions of the existence of a superabundance have every day received stronger and stronger confirmation from subsequent investigation, and the danger resulting from it, has presented itself to me as so serious, that sooner or later, something, in my view of the matter, must be done to repress the growth of the excess, under pain of a most grievous and certain rise of prices, (over and above the amount of any casual rise from bad seasons,) with the addition, sooner or later, of general bankruptcy.

By measures operating in a direct and clear way, in repression of the excess in the mass of existing paper, I do not doubt but that the repression *might* be effected; all I contend for, under this head, is, that the repression cannot be effected in so smooth and convenient a way, without the proposed Government paper, as with the help of it. The repression of the excess is a point of some delicacy; since bankruptcy might equally ensue from a sudden diminution, as from too sudden an augmentation of the quantity. Among the properties I ascribe to the proposed paper, is that of possessing a sort of *amphibious* nature, in virtue of which it will, of itself, and without any regulation on purpose, be added to the mass of the circulating medium, or withdrawn from it from time to time as the circumstances of the time may happen to require. This is argued in several passages not yet printed—I believe in the unprinted part of Ch. iv. [vol. iii. p. 118.]

My notion is, moreover, that as this paper advances in the circulation, at the same par, and no greater, will the other papers recede, and withdraw themselves out of it; that this effect is no more than what is likely to take place of itself, without any positive regulation for the purpose; but that if it should fail of taking place in a sufficient degree, measures, operating in a direct way in that view, may be taken with greater safety, after the institution of the proposed paper than without it. These points, too, I have argued at large.

It is among the properties of the proposed paper, to be essentially incapable of excess;—and that as well with reference to *rise of prices*, as with reference to bankruptcy; it is of the essence of the existing paper, (legislative repression apart,) to be perpetually running on in the career of excess, with reference to both those evils.

True it is, that, according to the proposed plan, the amount of the proposed paper is proposed and expected to swell in time, so as to be equal to, and give its form to, the whole amount of the national debt; but were it, for argument's sake, to swell to that amount in the compass of the first month, it would not, on that account, contribute anything considerable to rise of prices, much less to the approach of bankruptcy. True it is, again, that at any given point of time, it is, in every part of it, equally capable of being kept in hand like

Stock Annuities, in the quality of a permanent source of income, or passed, from hand to hand, like bank paper in exchange for goods or estates; and, accordingly, so far as concerns its exchange for *goods*, of being employed in such manner, as to contribute to the *rise of prices*, but it cannot, any part of it, officiate in both these capacities together; it cannot, any part of it, be, at the same time, kept in hand and parted with by the same person. After the conversion of the whole mass of Stock Annuities, into the proposed form of Note Annuities, men will not spend more of their capital in the way of current expenditure—in other words, in the purchase of goods for consumption and other uses, than they do now; but it is only in proportion as the proposed Note Annuities are employed for the purpose of current expenditure that they can add anything to the *rise of prices*.

As to the existing paper,—one of the properties it may have in common is, that taken in the aggregate, the performance of the engagements entered into by them (*viz.* for the delivery of so much cash) is physically and constantly impossible.

Another is, that in proportion as the amount of them swells, the amount of the cash so undertaken for swells likewise; and that, whether the amount of the cash capable of being delivered in pursuance of such undertakings increases, remains the same, or decreases.

On the other hand, it is among the properties of the *proposed* paper to make no addition whatever to (but on the contrary a defalcation from) the aggregate mass of the cash, the delivery of which is undertaken for, by the party from whence it issues; at present the money that Government stands bound for the delivery of, on the score of the national debt, is,—the amount of the interest of it, and that payable in certain fixed proportions, at certain fixed times of the year; and this is all it would stand bound for the delivery of, were the mass of the proposed paper to be equal to the whole amount of the principal of that same debt.

What the mass of existing papers undertakes for, is, the delivering on any day, if demanded on that day, a certain mass of cash, which, if demanded on any one day, would most certainly not be to be found; what the proposed paper undertakes for, is, the delivery at sundry prefixed and foreknown periods,—two or four of them in a year,—each consisting of a number of days, and as distant from one another as possible, a quantity of cash which cannot be greater, but on the contrary, in proportion to the increase of the proposed paper, cannot but be continually less and less than the quantity which Government is already enabled and accustomed, as above, to deliver on the same account. In a word, what I admit, is,—that the paper in circulation exists already in excess. What I am strongly inclined to think, is, that the insecurity resulting from that excess, is,—not merely contingent,—

depending upon accidents of a nature to bring on an alarm, but certain; viz., though not certain of happening at any near point of time, yet certain of happening sooner or later, if not prevented by the application of some proper remedy. What I maintain, is, that the proposed paper is not of a nature to add to the excess. What I am again inclined to think, is, that the proposed paper might of itself, be capable of operating as a sufficient remedy.

What I, moreover, maintain, is, that if other, and more direct remedies should be thought fit to be applied, the proposed paper, so far from affording obstruction to their operation, would be auxiliary to it.

I will conclude this head, with giving an exemplification of its *amphibious nature*, (as above-mentioned,) from which results that regulating power, in virtue of which it is alike calculated to correct any excess or deficiency in regard to the quantity of money of all sorts in circulation,—observing, however, that this supposes the whole, or a considerable part of the existing mass of Stock Annuities to have been already converted into this shape, as per Art. 20, p. 27.

1st. Let money on a sudden become scarce, —a merchant, besides the capital invested in trade, has Government annuities to the value of £10,000 in this paper; the sum he wants, is £5000 for two months; the scarcity is such that he cannot raise it in the usual way, by putting his name to bills, and getting them discounted. Were his annuities in the form of Stock Annuities, as at present, he would then have to sell them for less, by, perhaps, ten or twenty per cent., than what he gave for them. Being in Note Annuities, which it is shown at chap. 4, can never at the supposed period bear either *discount* or *premium* to an amount worth regarding, he simply takes the £5000 from his hoard, and passes them on in payment, as he would so much cash, replacing the amount, and recompleting his £10,000 worth of hoarded capital at the two months' end. The result will of course be the same in the case where, instead of his having the £5000 of his own, a man meets with a friend who is content to supply him with it on those same terms.

2d. Next, let the stock of money in circulation be swelling to *excess*: that is, increasing at such a rate as, were it not for the sort of drain afforded by the amphibious nature of this part of the mass *would be* productive of that inconvenience.

Now then, as the quantity of money existing in all hands, taken together, swells, so does that part which is in the hands of those who are laying up money—i. e. for the purpose of deriving income from it without bestowing their labour on the management of the fund, whether in the way of trade or otherwise.

In this case, in proportion as a man betakes himself to what is called *laying up money*, instead of *laying it out* in the way of his trade, (which deprives him of the interest,

he keeps it in hand for the sake of the interest, which now comes in lieu of profit on stock, and *pro tanto*, constitutes his income. But so much of the mass of money as is thus kept up, is, for so long as it continues to be so kept up, withdrawn from the aggregate amount of the mass of money in circulation.

At present, Government annuities are said to be *converted* into ready money—and *vice versa*:—but at present, the conversion is true, in a *figurative* sense only,—and in each instance the operation is liable to be attended with a loss. In the proposed state of the Government annuities, the conversion is *literally* true in both instances, and is not exposed to loss in either case.

The same double function is performed by Exchequer Bills, though with inferior advantage:—large, even in their smallest sizes, they are incapable of serving for dealings, on any but the largest scale;—limited in their *duration*, they are incapable of securing a permanent mass of income;—limited in their *aggregate amount*, they are incapable of carrying this species of accommodation to the extent to which it may sometimes be required.

For illustration, it was necessary to suppose, in the one case, the *deficiency*,—in the other, the *excess* already in existence. But the same cause which, according to *that supposition*, would operate as a corrective, would, *in fact*, operate as a promotive; deficiency and excess would respectively be corrected, each in its nascent state,—as they doubtless are already in a certain degree, by Exchequer Bills, especially under the late increased amount of that part of the floating debt. In the *present* state of things each one of the opposite evils receives, it is true—receives, sooner or later, a remedy of the corrective kind. But how? always by the operation of some new force;—in case of *deficiency*, by a quantity of fresh matter of some kind or other added to the preëxisting mass: as by the increased issues of Bank notes: and before that, by the increased amount of Bills of Exchange, substituted (as according to Mr Henry Thornton's evidence) for the cash notes drawn out of the circulation by the distress that took place at different periods, in regard to the paper of the country Banks. In the *proposed* state of things, the corrective would take place of itself, without the aid of human reason, and without the application of any new force. In the present state of things, the evil continues till the correction is applied; and how soon, if at all, it shall have been applied, and have produced a cure, depends upon a variety of contingencies; in the proposed state of things, all delay and uncertainty are wiped away. In the present state of things, in the case of deficiency, during the operation as well as before the application of the remedy, the price of Government annuities, and other sources of permanent income, remain, more or less, in a state of depression, and great losses are thus experienced;

in the *proposed* state of things, this source of loss is absolutely dried up.

Objection 2.—My subdivision of the unit, or standard note, would be unadvisable: for my interest note is ill calculated to supply the place of metallic money in small payments, as the variation of value would render it perplexing and unintelligible to the common people, and expose them to imposition, notwithstanding any contrivance of tables, &c.

Answer.—This seems to suppose that the notes of magnitude inferior to the proposed standard note, are proposed, all, or a great part of them, to be poured in at once. But by art. 10 and 11, [vol. iii. p. 110,] this supposition is expressly negatived. *Two*, or at most *three*, magnitudes are proposed to be issued, by way of experiment. If two be deemed too many, then let the experiment be confined to one. Setting aside possible speculation, the papers will be taken out, in the first instance, by the owners of *petty hoards*, (as per chap. 4, [vol. iii. p. 118,] &c.) for the sake of obtaining an interest for sums, on which at present no interest is obtainable, on anything like terms of equal security and convenience. Taking them, then one magnitude, at a time, I do not see how they are more liable to expose the *common people to imposture* than bank notes are. A man who cannot read, is liable to take a one-pound note for a two-pound note. Even a man who can read, is exposed to a danger much more difficult to obviate—the danger of taking a two-pound or five-pound note of a hollow or tottering country bank, for a ditto of the Bank of England. The man who *cannot* read, applies in such cases to some such person as the country shopkeeper, or alehouse-keeper, whom he deals with. Such a person is seldom without a whole-sheet almanac behind his door, which almanac is never without tables, is, I should say, itself composed of tables of a more complex nature than that proposed. If in a proposed note, a man reads the day of the month wrong, or the sum opposite it wrong, (all the error the table is exposed to,) the utmost of the loss is a minute sum on the score of daily interest. If a man receives a bad one-pound note, or a bad guinea, the loss goes to the whole.

To the columns of which an almanac is composed at present, one for the day of the week, another for the day of the month, a natural addition in case of the emission of the proposed paper, would be another column indicative of the interest due on each day on an Annuity Note. Will it seriously be contended, that the additional column will be unintelligible to those by whom the original ones are understood? As to this point, see further in the answer to the next objection.

Objection 3d.—It would be very difficult at any office to make an actual payment of interest on the small notes, on account of their *dispersion and multiplicity*.

Answer.—This objection, like the preceding

one, seems to turn, in part at least, on the supposition of the *suddenness* of introduction, instead of the *graduality* expressly recommended.

So much as to *multiplicity*. As to *dispersion*, that is provided for by the dispersion of the offices, at which it is proposed that the sale of the notes and payment of the interest shall be made—viz., the existing post-offices. The plan of payment is delineated in the notes to articles 13, 14, and 15, which I am induced to think had not yet met your eye, since, if it had, it would rather have been expressly referred to as insufficient, than passed by without reference.

In a word, wherever *preponderating inconvenience* presents itself, there of course will *extension* stop. The proposed paper is not proposed to be *forced* into the market, like exchequer bills, &c. &c. It will only be issued in proportion as it is *demand*ed; and it will only be demanded, in proportion as all inconveniences attending it are found, by experience, to be outweighed by the convenience. The dilemma seems impregnable: if inconvenience, no demand; if demand, no inconvenience.

I call every commodity *forced*, of which the quantity offered to sale is proportioned—not to the demand and pleasure of the purchaser, but to the exigency of the seller. All known government annuities, and other government engagements for money payable in *future*, being of the forced kind, the mind (I am sensible) has no easy task in squaring itself to the conception of a new species, which, being not of the forced kind, is, in its nature, so essentially different from whatever else we have been used to see under the same name.

Applied, indeed, to the small notes, the objection is a perfectly rational one, and *prima facie* a conclusive one; especially if all the different magnitudes of the small notes are taken into the account.

But the answer is such as, I cannot but flatter myself, will be found ultimately conclusive on the other side. It is referred to, though not given, (for everything could not be given at once,) in [vol. iii. p. 112,] note 14, art. 16.

Supposing the small notes established in the circulation, (casual whims apart, which, as such, can be but rare,) a man will never apply for the interest at the *office*, because, as in case of exchequer bills, in proportion as he circulates his notes, the interest will be allowed him in the circulation. It is contrary to the nature of man and things, that a man should take the more troublesome course, for what he can obtain by one less troublesome.

Vansittart referred the correspondence to Dr Beeke, whose observations he communicated to Bentham—they are thus conveyed:—

“DEAR VANSITTART,—I have read

Mr Bentham's plan with much interest and attention, and am flattered not only by the manner in which he expresses himself respecting me in his letter to you, but also by the very near agreement of his leading proposition with the different projects which I communicated to you some years ago for *Interest Notes*, and also with the principle of that respecting *Provincial Banks* which I communicated, two years ago, to you and to Mr Addington.

"Mr Bentham has studied the subject very profoundly and very accurately: but I am sure he will forgive the freedom I take in saying, that I fear the minuteness of detail in the printed sheets with which I have been favoured (though of infinite use to those who might wish to carry his plan into execution) is not altogether well calculated for a first publication, and might even be an impediment to its favourable reception. The impatience of modern readers is so great, and, I may add, the inattention to the minutiae of all questions of Political Economy is so general, that such propositions as this of Mr Bentham's have, I think, but little chance of being well received, unless they are, first of all, enunciated in the simplest form of which they are capable, and are, as much as possible, divested of all practical detail.

"With respect to the plan itself, the important circumstance in which it differs from any of mine, and in which it greatly excels them, is in the *manner* of converting the public debt into circulating annuities. But, in some other respects, I could wish to submit to Mr Bentham's judgment, whether his plan may not be liable to serious objections. My proposition was made when the funds were at a much lower value than at present, (3 per cents. below 50,) but I still am inclined to think it, in some respects, preferable. I think the *standard note* should bear a *weekly interest*. Mine you know was at the rate of 3d. per week for £20, or £3, 5s. per cent. per annum. There are various reasons which induce me to think that too great a facility of circulating wealth is really a very great evil; and, therefore, I should by no means wish that such a plan should

at first be recommended on too *extensive* a scale: and the more so because I think a near approximation to the requisite quantity of circulating money in any country is a problem of no very difficult solution. The more I have considered the subject, the more I have become persuaded that the disadvantages resulting from the use of paper money of so small value as to be commensurate with any convenient metallic coins very greatly preponderate over the advantages. Of course, I am convinced that *one pound notes* are really much more injurious than useful; and at any rate, in the first publication of such a plan as Mr Bentham's, I should greatly wish to suppress any mention of silver or copper notes for two reasons:—First, if such notes could be substituted for metallic money, yet the value wanted for circulation would be too inconsiderable to make such a substitution an object of national importance. Of the aliquot parts of any piece of money, for instance of a sixpence, no more can ever be wanted for all the purposes of circulation than at the rate of about fourpence or, at most, fourpence-halfpenny per head for the population, exclusive of infants. Say at most, in the whole United Kingdom, fourteen or fifteen millions of groats—or about £250,000 sterling. In the same manner, where (as in this country) the policy adopted has been such as to make *gold* the only species of metallic treasure—if only guineas were coined, I doubt whether even then more circulating silver money would be wanted, than at the rate of at most about 21s. per family, or a little more than three millions sterling. But, with a sufficient supply of seven-shilling pieces, hardly half this value would be wanted in silver money. Now, I think Mr Bentham will agree with me, that the smaller denominations of paper money would never be *hoarded* in any considerable quantity.

"A second reason why I would avoid any mention of small paper money *bearing interest*, is from a recollection, that many more really useful plans have been rendered unpopular by the ridicule of ignorance than by grave opposition to them.

"I am most clearly of opinion, that if such a plan should be adopted no aliquot parts of a standard note of £20 ought, on any account, and even at any future time, to be allowed, excepting notes for £10, £5, and perhaps £13, 6s. 8d., and £6, 13s. 4d.—if the interest were taken at £3, 5s. per cent. per annum, which rate, for many reasons, I should at present prefer. I also think that the aliquot parts of the standard note should only bear a monthly interest.

"I had intended to give my reasons for these remarks more at length, and the intrinsic value of Mr Bentham's plan would require it from me, if I could find time to do it with any convenience: but a detailed explanation of the circumstances which have induced me to adopt the opinions that I have stated, would fill not a letter only, but a volume. If accident or choice should lead Mr Bentham into Bond Street, I shall be glad if this letter should lead to our better acquaintance.—I am, dear Sir, yours very faithfully,

"H. BEEKE.

"No. 19, Old Bond Street,

"May 6, 1801."

Bentham answers the objections in a letter to Vansittart, of 11th May:—

BENTHAM TO NICHOLAS VANSITTART.

"SIR,—I plume myself not a little at the thought of the two reviewers I have been fortunate enough to obtain for my plan: and the finding in one of them a concurrent,—and such a concurrent,—is a source of the purest satisfaction to me; as, from what I see of the turn of his mind, I am sure the correspondent discovery is to him: for approbation has no evidence comparable to such coincidence.

"At the sight of the observations you had favoured me with, I had ventured to say already, that I saw in them no indications of any ultimate difference between us: at the sight of his, I can venture so much further as to say,—as to everything *material*, I see very satisfactory indications to the contrary. Whether there would be any difference at all, remains to be ascertained, when

the considerations that have respectively operated on our minds come to be displayed on both sides. In the meantime the utmost possible difference is not so great in my eyes, but that I would compound most gladly for the seeing the plan carried into execution, simply and absolutely according to the ideas already manifested by Dr Beeke.

"As to *publication*, and the mode of it,—*close* or *open*,—(as you say of committees,) the first point seems to be to ascertain what the leaning of Mr Addington's mind is, as to such parts of the plan in respect of which the Doctor's ideas and mine are found already to coincide: in which description is already included all that presents itself as worth contending about in my eyes: and so far, at least, as the Doctor's ideas went, at the period he alludes to, Mr Addington is already (I conclude) no stranger to it.

"On the assurance, even in that shape, that his opinion was sufficiently in favour of it to induce a wish on his part to see us set to work upon it in concert: what I should then be disposed to submit in that view would be this:—

"1. That I should go on with the impression of my plan, (for the whole of it *is*, or at least *was*, ready for the press,) printing fifty or a hundred copies or so, for the use of any such persons as you might have the goodness to point out as proper to be consulted in relation to it.

"2. That Dr Beeke's original plans, as alluded to in his letter, should be printed, in the same view,—either in the state in which they were originally communicated, or with such amendments, if any, as he might now see reason to make in them: or if, in the meantime, before the copies were thus multiplied, he were disposed to favour me with the communication of them, I could take the liberty of submitting my observations on them without reserve. The probability appears to me to be much in favour of an exact agreement, as between him and me: but it by no means follows, that that agreement would be adopted by those to whom it belongs to judge. To him, (such is his liberality and strength of mind,) the plan,—that part of it, for

instance, that relates to '*conversion*,—is regarded as an improvement,—and that a considerable one,—upon those parts that belong to us in common: but it does not absolutely follow that it should be regarded in the same light by others.

"3. If, then, the opinion of those to whom it belonged to judge, were found to lean to the adoption of the plan,—either according to the Doctor's modification of it, or according to mine,—or according to a *tertium quid*, which should have been pitched upon in preference to both,—then would be the time to decide, whether *anything* on the subject should be laid before the public at large, and, if anything, *what*, and by *whom*: if by me, then again would be the time for the Doctor to use the *pruning-knife*, which, with respectful gratitude, I would put into his hand,—then, when the prunable matter would be completed, and swelled from the three sheets to, perhaps, eight or ten.

"With such a prospect, as above supposed, of seeing his labours productive of fruit, *he*, I presume, would have no difficulty in finding any quantity of time requisite for the purpose.

"On the other hand, without some such prospect,—that is, if in the estimation of the competent official judges, the plan were either positively ineligible, or not of sufficient importance to be worth their attention, I, for my part, know of no point of view in which the publication of my papers, contracted or uncontracted, would present any prospect of being of use.

"In the meantime, as little would it be worth attempting to take up either your time, Sir, or the Doctor's, with the discussion of particular points: and it is on that consideration that I spare both you and him the reading of some pages I had written of that cast.

"It this instant strikes me, that by a '*first publication*' he, perhaps, means not the *open* but the *close* mode of publication above spoken of. If so, it would be necessary that the *pruning-knife* should be set to work for the purpose of such *close* publication, and, therefore, previously to it.

"According to his opinion, there is

still a description of persons with reference to whom even the parts that would require, as above, to be cut away, would be of use: viz. 'those who might wish to carry the plan into execution.' But to supply the demand created by this narrowest class, nothing more would be requisite than to throw off a few copies of the sheets as they stand at present, before the press is broken up.

"I am somewhat alarmed by a hint I have just seen in the debates, about an intention of bringing in a bill for the restraining of country paper; for, though some sort of a restriction on *cash paper in general*, is a measure I myself have been inclined to look upon as necessary, yet I cannot but consider it as very tender ground to tread upon, and I do not well see how a sufficient stock of *data* can be obtained for such a purpose, circumstanced as matters are at present, without preparatory inquiries by a select committee.

"And supposing the plan of Government '*interest paper*,' to obtain a sort of provincial approbation, should not some view be taken of its bearings and relations in reference to any such measure for the regulation of *private paper*?

"As to £1 notes, the Doctor's unfavourable opinion of private paper of that size, (if meant to apply to that size in contradistinction to larger sizes to an equal aggregate value,) the reasons that gave it birth are such as I have not been able to anticipate: by which, however, I do not mean that I expect to find them otherwise than satisfactory, were they to be made known to me. Supposing large paper of all sorts, (say £5 and upwards,) to have swelled in its amount so as to bear a certain ratio to cash, the existence of small notes to a proportionable amount (say £2 and £1 notes) presents itself to my view as necessary, on pain of a very formidable danger, at least universal bankruptcy: viz. by such a demand for *cash*, on the score of *change*, as would indistinguishably be mistaken for, and at length be productive of, a general distrust of paper: though whether the proportions are as yet, or soon likely to be, at that mark, is *among* the problems for the solution of which I have all

along been looking in my own mind to Dr Beeke.

"The opening given me in the conclusion of his letter, is by much too valuable to remain unimproved by me; and to this you owe the liberty I take in enclosing the note addressed to him.

"I return his letter in obedience to your commands,—and have the honour to be," &c.

The following correspondence took place between Bentham and Arthur Young on the returns of agricultural capital:—

BENTHAM TO ARTHUR YOUNG.

"Q. S. P., June 13, 1801.

"DEAR SIR,—Your opinion on the subject of the following queries, on which it is probably given in more places than one of your works, if a man knew but where to lay his finger on it, would much oblige me.

"1. What may be regarded as the average annual value of the gross produce in the form of a per centage for every £100 laid out in the improvement of land not yet in culture, upon an average of articles of culture, soils, situations, &c., and quantities of capital applied per acre, according to the usage of the present time, and in farms of the average size? calculated either for England or Great Britain,—but mention which.

"2. The same question applied to *land already in culture*, upon an average in respect to the quantity of capital actually employed, and the degree of skill and judgment with which it is employed, and upon farms of an average size?

"3. The same applied as before to *land already in culture*: but on the supposition of the capitals being employed on the *most skilful* principles yet known, and on that quantity per acre which is adapted to the production of the greatest quantity of produce per acre?

"N.B. The object is to ascertain, not the profit per cent. to the farmer, not that portion of the produce which, or the price of it, is retained by that one of the parties interested, but the *gross* produce, or whole amount in each year, including

what goes to rent and tithes, poor-rates, and other taxes, and not deducting anything for interest of money.

"The income thus derived to the nation, taken together, is considered as permanent, and even perpetual; and therefore, in each year, that proportion of the produce of the year, the value of which goes for wear and tear of the capital, to keep up the capital always at the same value, without increase or decrease, must all along be deducted.

"Answers to questions of such latitude must, of course, be extremely vague: but a very rough approximation is all that is necessary for my purpose; such a one, for example, as is made when it is said, as it was in Mr Pitt's estimate, as given in Mr Rose's pamphlet, for the purpose of the income tax, that 15 per cent. might be reckoned as the average profit of trade; in which interest of money, I take for granted, was meant to be included, and the profit in question was meant to be the profit of the individual master manufacturer, &c. by whom the capital in question is employed.

"If you will give me leave to avail myself of your authority, by giving the questions and answers, and annexing your name to the answers in print, if I should print, as I think to do, you will add much to the obligation conferred on, dear Sir, your faithful friend, &c.

"N.B. I shall take your permission for granted, unless refused. Better the exact purpose of the questions be unknown till the answer is given, to avoid biases on the mind. It will, I presume, be least trouble to you to return this same paper with your answers, which, I should hope, might be reduced to a few figures."

ANSWER TO MR BENTHAM'S QUERIES FOR ENGLAND.

"Query 1. The capital which is necessary for the improvement of waste, including all expenses both of landlord and tenant—that is, building, fencing, and bringing into culture—may, on an average, be reckoned at £10 per acre; but a great part, and in some cases all, is drawn back during the course of the improvement, so that, after four years,

the land is in a state to let, without the expense having, in fact, been anything, or very small. The gross produce, if the land lets at 10s., (or is worth that rent,) including tithe and rates as rent, will be, on an average, 30s. an acre: if rent, tithe, and rates are 20s., the produce will be £3.

"2. Upon land already in culture, the capital may be called £5 per acre, and the gross produce vibrating from 50s. to 60s.

"3. The question involves a contradiction—*gross produce* is never the object in contradistinction to *net profit*. With profit the object, capital £6 to £7 an acre, and gross produce £3, 10s. to £4, averaging everything except skill.

"I say nothing of farmers' profit, as that seems not to be the object of the queries; but compare only the gross produce with the capital employed to raise it, and I suppose common average times and prices.

"Errors excepted.

"A. Y."

BENTHAM TO ARTHUR YOUNG.

"Q. S. P, 8th July, 1801.

"DEAR SIR,—Many thanks for your kind remembrance of me. No—you had not answered it, I was thinking of writing to you a second time, in consideration of accidents such as happened.

"I see Bygge's extract* in the last number of the Annals, but not *North*. I beg your pardon; I was misinformed. I see it in No. 210.

"I was sorry not to find the note we talked of, in explanation of the difference between large farms in *that* country and in *this*. You may have observed, or not observed, in my Principles of Management, as given in my Poor papers in the Annals, the advantages of the *large scale* principle, as applied to buildings, and vessels, and other implements in manufactories. I should like to see an application of it to *agricultural* establishments, to which nobody is so competent as yourself.†

* Extracts from Bygge's Travels in the French Republic. Annals, xxxvii. p. 129.

† This is the main feature of the modern Scottish agriculture.

"*General enclosure*. Has anybody ever worked this argument in favour of it? By the *common law*, where an estate falls from *one* hand into a *few*, as where it descends from a man to a family of daughters, his co-heiresses *each one* has a *right* to have it divided, by reason of the inconveniences and loss of value that result from joint and promiscuous land ownership. In the case of land common to a whole parish, how much stronger the reason for division.

"Lawyer craft and lawyers' prejudices have been found by you among the great obstacles to improvement in your own, (have not they?) as well as in so many other lines. Here is an *argumentum ad hominem* for you to fight them with.

"You got me into a scrape about the population paper: what I wished was, to have talked with you on the subject; but I made you promise it should *not*, till then, if at all, find its way into the Annals. This promise escaped you, and you printed the paper, taking only the precaution to put initials, instead of the name at length. Another time we must take precautions to prevent misconceptions and slips of memory. I do not know that any ill consequence has actually happened. I will tell you what I was apprehensive of when we meet. When do you think of visiting town again?—Yours most truly," &c.

BENTHAM TO NICHOLAS VANSITTART.

"Q. S. P. 20th July, 1801.

"DEAR SIR,—Your obliging appointment for to-morrow will not fail of due obedience. You understand, I hope, that on the former occasion I was at the Treasury at the time appointed, (I crossed you in the passage;) and that your seeing me so late was owing to some misconception—of which I know not the cause—on the part of the messengers, I believe.

"Will you pardon my whimsicalness in mentioning it as a maxim of mine, deduced from uniform experience, that, in business, except for particular purposes, every third person is a nuisance—I mean in respect to distraction: for as to secrecy, if there were half-a-dozen

short-hand writers, my objection to third persons would be obviated, if they were put behind a screen, with orders not to speak.

"I enclose the promised copy—a sad rough one; but as the revising another would consume a good deal of time, I hope your goodness will excuse it. I am," &c.

Again:—

"Q. S. P., July 24, 1801.

"DEAR SIR,—I release you from your obliging appointment for this day. You have cut me out work for several days. I return you the paper—having preserved a copy of it. It answers my purpose to admiration: proving, as it does, that where everything was sought for that seemed capable of being made to wear the semblance of an objection—sought for, and with such ability—nothing was to be found. The force of it—at least the force with which it acted upon me—consisted exclusively in the force of the word 'severity,' dropped by yourself in speaking of it. Severity there was indeed in that word, and severely will you yourself be punished for it,—punished by the load of paper you will have drawn down upon yourself, and which, but for that word, you would have escaped. Since an answer then is necessary, black and white cannot be answered—not effectually at least—and to any lasting purpose—by anything but black and white: impressions thus made can seldom be wiped away by sounds.

"The judicial was the function I had chosen for the learned baronet, [Sir T. Eden]: that of advocate-counsel, for a rival project, is the character he has taken upon himself in preference. What a Mr Storestreet is to him, he has made himself to me. His adversary, in his model,—beginning—middle—end—he emulates Mr Storestreet. The word, 'portentous,' prefixed to the word 'globe' in the title-page of the one, is watched by the 'ewes and lambs' that garnish the first line of the other. As the one concludes with the grave of property, so does the other with the joke about dying of the Doctor. In what degree that style of

discussion is calculated for the conveyance of useful information, may perhaps be seen, when the attention bestowed by it comes to be repaid. The misfortune is—all this makes words: and words take time even to write them: not to speak of thinking, even if, like my commentator, a man wrote from imagination, and without stopping to see what was in the text.

"There are other ways of treating a plan which a man would have been glad to find practicable, but cannot, consistently with what he owes to truth. I enclose a specimen, the rather because it is not altogether foreign to the subject in hand, being referred to—I should have said alluded to—in the Introduction, p. 4. But not having any necessary relation to the question in hand, it is not worth looking at, but at your most perfect leisure. I am," &c.

Again:—

"August 10th, 1801.

"DEAR SIR,—Before, you had Sir Frederick's 'severity,' now you have it back again with mine. You are our master; we a couple of school-boys making the declamations you were pleased to set us. As to real spite and enmity—whatever you might otherwise be apt to suppose as you read on, (supposing you to have patience to read on,) I assure you most sincerely, I have no more against him, than the school-boy who spouts Ajax has against his chum who spouts Ulysses; or than you yourself may have felt when arguing a settlement case against the learned gentleman on the other side. As to Sir Frederick, he is a good-natured man, (to judge from everything I have seen or heard of him,) and would forgive me, if you gave him the opportunity; but that is a matter for you to judge of. As to this his *jeu d'esprit*, if I have failed of being severe upon it, it certainly is not for want of trial—the necessity of defending at all points, what seemed to be an object on public ground worth defending, forbade me to give quarter:—but, personally, if he were to have heard all I have said of him, not only before this affair, but since, I think he would not have been dissatis-

fied with it—excepting always one remark I made t'other day, viz., that for the sake of the public, as well as his own, it would give me more satisfaction to see him at the head of the Government Annuity-Note Office, joining hands with his noble uncle at the Post-office, than at the head of the Globe;* which last, I am inclined to think would, notwithstanding, experience at least as favourable treatment from me, if it depended upon me, as I should expect to see it meet with from the Crown lawyers.

“Tedious as this operation has been, from the labour of making references, together with the toil of revising an incorrect copy, taken from a most exemplarily rough hand, (such as this is, especially when it writes against time to arrest fugitive ideas,) I flatter myself it may not be, altogether, labour lost; since, besides the main object, I should expect to find that other *observations*, such as might be looked for from Mr Alcock and others, had been found anticipated by it.

“At any rate, any other objections, fresh or stale, that might present themselves from the same, or any other quarter, I should neither think of answering in a similar tone, nor (probably) look upon it as necessary to answer at equal length—simple references being all I should think necessary to give by way of answer to objections already foreseen and answered; and if you would have the goodness to distinguish by some mark, any such observations as, in your view of the matter, called for an answer beyond what has been already given, it would be an act of charity; unless any objection presented itself to you as a fatal one—in which case, you would give judgment accordingly, and I should have my *quietus*.”

BENTHAM TO DUMONT.

“Q. S. P., 11th August, 1801.

“MY DEAR DUMONT,—I was very glad to receive the paper you sent me from Lord Lansdowne—not only as a token of his lordship's kind recollection, but also on its own account.

“Should the currency I have proposed

* Viz., “The Globe” Insurance Company.

be adopted by Government, and accepted to a sufficient extent in Ireland, it will be an effectual cure for the evil, and a more simple one than any other which has been or can be proposed. Whether it will be adopted, is more than I can as yet pretend to say; but they pay serious attention to it, and appearances are not unpromising. I need not say to you, I am sure, how sincere a satisfaction it would afford me, to find that, in the general accommodation, Lord Lansdowne's particular accommodation, in a matter of such importance to him, were particularly included. I should be much obliged to him and you, for any further documents relative to the subject that may come to hand, or be easily procurable.

“The enormity of the discount spoken of, (10 per cent.—is it not? or thereabouts,) altogether passes my comprehension. *A priori*, I should have thought the impossibility of the fact demonstrable. The money, *if it exists* in Ireland, might be brought bodily (I should have said,) for a quarter of the money. It costs but £3, 12s. or thereabouts, per £100, to bring money from Hamburgh, including freight, insurance—everything, as per Lords' *stoppage of the Bank Report*, March or April, 1797. I say, *if it exists in Ireland*, and if it does not exist there, I don't well see how it is ever to get paid in England. Perhaps the case is, that it does not exist there, and so it becomes necessary that the value should be paid in goods; and that this discount is occasioned by the expenses upon the goods. Not having yet turned my thoughts to this particular branch of the subject, I feel myself as yet quite in the dark. You know it is my way, till I fancy myself to know more, I am always perfectly conscious of knowing a great deal less than other people. If the case should be as above, to be sure my currency can do nothing in it. If there is any money in the country, it will bring it free of expense; but if there is none, to be sure it cannot create it. I wonder how it was with Scotland in former days—soon after the Union, for example. Fifteen lords and forty-five commoners, must, though Scotchmen, have spent something. Any documents about the

state of the country banks in Ireland would be highly valuable to me. Whether my currency be adopted or no, country bankers' paper *must* be stopped from further *increase*, on pain of certain bankruptcy: though I cannot tell you

exactly on what day, and at what o'clock.

"P. S. Your letter did not desire an answer, or I would have written one immediately."

CHAPTER XIV.

1801—2. Æt. 53—4.

Correspondence continued: Robert Watts on Prices; Dumont, with Notices of Talleyrand and French Politics.—Sir William Pulteney and Wilberforce on the Panopticon.—Wilson.—Sir T. M. Eden.—Bentham's Visit to Paris, Fontanes, Duke de Brancas, Garnier.—Correspondence with Romilly, Trowbridge, and Collins.

THE correspondence of Bentham with the Rev. Robert Watts of Sion College, exhibits some curious examples of the rise of prices in the articles of clothing, which are worth recording, and may serve as means of comparison with the present state of things. What appears most remarkable, is—the low nominal value of labour: that a boy's coat, with buttons, and all other materials, should be made for one shilling, appears almost incredible:—

BENTHAM TO DR. ROBERT WATTS.

"Q. S. P., September 8, 1801.

"REVEREND SIR,—The importance of the public object, the pursuit of which has suggested the liberty I am taking by this address, will, I hope, plead my excuse for the trouble I am attempting to give you by it, unknown as I am in person, and perhaps even in name. Being engaged in some inquiries relative to the rise of prices, with the privy, and not altogether without the assistance of the Treasury, I obtained, not long ago, some valuable information on that head from Bethlem Hospital. It was confined, however, to provisions and fuel; and my subsequent endeavours to extend it to clothing and other articles, were not equally successful.

"In looking over to-day my stock of pamphlets, I happened to light on those sermons preached before the Society for the propagation of the Gospel, in so many different years, [1772, 1777, and 1780,] at the end of two of which,

among other statistical matters, I found accounts of the prices of the clothing furnished to the Charity Schools in the respective years. It struck me that, supposing these accounts to have been published regularly, or even frequently, from the commencement of that respectable institution, or for that part of the time which constitutes, in a more particular manner, the subject of my inquiries, viz. the period commencing with the present reign, the series of them might go a considerable way towards filling up the gap left in the above-mentioned document.

"Observing Mr Rivington to be the printer to the Society, I accordingly sent to his shop but now, in the view of furnishing myself with the sermons, &c. for such years as might serve me for that purpose. The answer being, that they had no copies with the documents, Sion College occurred to me as the place, of all others, in which I might reckon on the existence of a complete collection of those documents, if anywhere.

"The favour that I have accordingly to request, is—to know whether any such collection exists; and in what state in respect of completeness, in the library under your care; and whether I might be favoured with permission, and at what day or hour, by myself or clerk, to visit the library for that purpose.

"Enclosed is a copy of the information furnished by the documents in ques-

tion, for two of the years, (1772, and 1780,) that of 1777 being silent on the subject; from this, my object will be more clearly understood; and any answer you may be disposed to favour me with, will leave a more precise standard to refer to.—I have the honour to be, with all respect, Reverend Sir," &c. &c.

Mr Watts sent these extracts from sundry documents.

"An Account of Charity-Schools, lately erected in Great Britain and Ireland, &c. 8th edition. London: 1709." 4to.

Page 50—The charge of clothing a poor boy of a Charity-School in London:—

	s.	d.
1 Yard and half-quarter of gray Yorkshire broad-cloth, six quarters wide, makes a coat,	3	0
Making the coat, with pewter buttons, and all other materials,	1	0
A waistcoat of the same cloth, lined,	3	6
A pair of breeches of cloth or leather, lined,	2	6
1 Black knit cap, with tuft and string,	0	11
1 Band,	0	2
1 Shirt,	1	6
1 Pair of woollen stockings,	0	8
1 Pair of shoes,	1	10
1 Pair of buckles,	0	1
	15	2

The charge of clothing a poor girl of a Charity-School in London:—

	s.	d.
3 Yards and half of blue long ells, about yard wide, at 16d. per yard, makes a gown and petticoat,	4	8
Making thereof, strings, body-lining, and other materials,	1	0
A coif and band of Scots cloth plain, with a border,	0	9
A shift,	1	6
A pair of leather bodice and stomacher,	2	6
1 Pair of woollen stockings,	0	8
1 Pair of shoes,	1	8
1 Pair of buckles,	0	1
	12	10

NOTE.—The different stature of children is allowed for in this account; and 50 children, between the ages of 7 and 14, (one with another,) may be clothed at this rate in London.

In the ninth edition of the same account, London, 1710, 4to., p. 54, is the same list of prices, with the exception of the boy's cap, which is there charged at only 10d.: so that the whole charge amounts to only 15s. 1d.

At the end of the Annual Sermon for the Charity-Schools for the year 1779, the prices for clothing men, women, and children, are the same as in the list for 1780, except as follows:—

	s.	d.
Woman's bodice and stomacher,	4	10
Checked apron,	2	2
Girl's leather bodice and stomacher,	3	6
Buckles not inserted.		

Ditto 1781. The following exceptions:—

Woman's bodice and stomacher, not charged.		
Girl's pair of leather stays, (instead of leather bodice and stomacher,)	4	6
[Buckles, as in 1780, 2d.]		

Ditto 1790:—Ditto.

Woman's bodice and stomacher, not charged.		
Girl's stays, as in 1781,	4	6

Ditto 1791:—Ditto.

Woman's bodice and stomacher, not charged.		
Girl's stays,	4	6

Ditto 1793, 1794, 1796:—No prices inserted.

Dumont writes to Bentham from Paris, 27th November, 1801.

DUMONT TO BENTHAM.

(Translation.)

"The first time I saw Talleyrand, his reception was ministerial, which distressed me a little. This did not last; and I dined with him the same day. There was a large party; and after dinner, apart, he breathed to me some of those condensed sentences for which he is so distinguished, and which are of so much weight. He was very inquisitive about you. I asked for a private interview; but as a fortnight past without hearing from him, except by me making some polite offers of service, which were meant more for L. H. [Lord Henry Petty] than for me, I went to his magnificent hôtel and waited for him nearly four hours, from a concurrence of circumstances in which there was no intention on his part. When he returned from his ride on horseback, his valet-de-chambre, who had done me the honour of cordially welcoming me, conducted me to his toilette chamber. The first moment is always of overwhelming coldness—the second repairs everything; there were present two or three of his

principal clerks, particularly M. Hauterive to whom you owe gratitude for his admiration of you. I had the best of your MSS. about me. Talleyrand made you, of his own motion, the subject of conversation, and with a degree of interest—with that wonderful sagacity—those studied, but most striking, expressions which give so peculiar a character to all he says. It was a well chosen moment. I exhibited the catalogue, and he showed the utmost pleasure on learning that a great part was nearly ready to appear. He would have had all printed at once. Hauterive and I thought it was enough to begin with four or five volumes. The means of execution were talked of: Talleyrand recommended an intelligent bookseller, who should take charge of the undertaking, and turn it to account. It was thought desirable not to talk about it, as the old school of Legislation, now occupied in the Civil Code—making laws by pages—would be disquieted and discontented; that Sieyes, though unacquainted with what you have said of this declaration of the rights of man, would have sagacity enough, having seen the extracts which have appeared in the *Bibliothèque Britannique*, to doubt whether his system and yours would move on together, and that the five or six Sieyists who are left would agitate on all sides to decry—to howl—to insurrectionize a certain horde of barkers: in fine, that it would be best the work should appear under the favourable auspices of your name, without any previous clamour. I am sorry, my dear friend, to be forced to cut the details short, but our conversation lasted above an hour, and was most interesting with reference to the object. The conclusion came to was, that Hauterive should see the said bookseller, and make some arrangement with him—an arrangement I willingly facilitated, as I asked for nothing; and gratuitous bargains are not very embarrassing to those who make them. Five or six days after these conversations, that is to say yesterday, the Citizen Minister sent to tell me that all was settled;—unfortunately I was absent, and they only left me a word in writing; but I dine to-day with Talleyrand, and shall

have all the details. I do not think the printing can be kept secret, for the Abbé Morellet and Gallois knew that I had the intention of publishing. Besides, everybody is acquainted with the *Bibliothèque Britannique*—known to everybody who can be deemed a reader—and every reader speaks of the extracts, and of you. I have seen the new editions of [Beccaria on] Offences and Punishments, to which Rœderer has added Diderot's notes (in which I see with astonishment that he has anticipated you, on two or three occasions, where you differ from Beccaria.) In order to increase the value of the work, St Aubin has added a sort of synoptical table, or rather index, of a certain number of chapters—mutilated fragments—an abominable chaos—though they have had the courage to say that the MS., from which the translation was made, is in the author's handwriting. The Abbé told me he found it among the papers of the Duke de la Rochefoucauld. All that I believe is, that he had made some extracts from the Principles of Morals and Legislation, and that his work has been taken for yours.

"I heard in the Legislative Assembly the speech of Portalis, minister of Religion (*des cultes*), on the subject of the Civil Code. It was fine, very fine—so fine, that I could understand little of it. All that I learnt was, that on speaking of civil laws—or making a programme—nobody should pronounce the words nature, family, father, child, marriage, &c., without a sentimental tirade—an harmonica for accompaniment—for the auditory expects this; and, but for the place, would have clapped their hands. He answered an objection, clear and luminous, which has been made against the Civil Code, that it contains no grand conceptions: he answered that there was danger in grand conceptions: and the answer edified everybody. He taught us also, that the division of the Roman Law, *Rerum* and *Personarum*, ought to be preserved on account of its simplicity—that it comprises everything—which nobody can deny.

"I am impatient to know whether you have the same curiosity to see Paris—when difficulties are got over? What

I can tell you is, that you will have the pleasure of witnessing a general security—a vigilant, but unperceived police—a general satisfaction with the Government, especially as compared with the past, and a hope of better things, which already may be deemed a half-attainment of them.”

And on the 23d December, 1801, Dumont says:—

(Translation.)

“I have not yet settled matters with the bookseller. Talleyrand has shown more than official zeal in the matter—really the liveliest interest in the publication of a work of which he has the highest opinion. He has offered himself to pay the costs of a complete edition, if Bossange fears the speculation. But Bossange seems willing directly to undertake it. He has brought me the outline of a project, offering me 300 copies for my payment, keeping himself the property of the MS. But Talleyrand does not approve of this; he will have the property remain in my hands, so that, if there be other editions, the profit may be proportioned to the extent of the work. On the other hand, comparing the success of philosophical works, and the small number of readers in France, &c., friends whom I have consulted, think it will be long before a second edition will be required—and there we are. The Minister is at Zion, and probably nothing will be settled till he comes back. Certain it is, that the sale of 200 copies, (for I calculate I must give away 100 to serve the work,) subjected to the deductions of the bookseller, and to other uncertainties and embarrassments, will leave little enough, particularly with the necessity of staying in Paris to superintend the printing. It matters not—it is no interested speculation; and I shall decide to accept it if a powerful friend, without whom I shall do nothing, has no objection. I have read my preface to an enlightened friend—I have read some chosen passages. They have given the highest satisfaction; and your name has an influence great enough to obtain a considerable circulation. M. Duquesnoi, a man of sense, has just translated

your publications respecting the Poor. I have not seen the translation; but I fear the book is not of a character to have any great success at Paris, for whose meridian it is not calculated.

“But now to the weightier affairs. I opened the subject of your financial project. I represented it in the best terms. I introduced the Panopticon. I was listened to with interest; but the subject has not been again referred to. The first step is always difficult. Many details would be necessary, to point out to you the march of affairs,—the impediments to progress,—the immensity of occupations,—the embarrassments of the Civil Code. When we were walking on the banks of the Thames, I was always supposing things which showed my ignorance of the state of the country,—the inaccessibleness of men,—the delays of business. I could safely say to you, come here for your amusement,—for promenades,—for *spectacles*; but I could not add, come here for the object we have in view,—come for a purpose of immediate utility. The success of the work may bring important consequences: we must wait for its *impression*, in the double sense of the word. I could personally aid for circulating much in the world (which begins to be sorely wearisome to me;) I have a thousand means of hastening its influence, and of gaining time. But my advice is, that you should delay. You will lose nothing. The mud of Paris makes it disagreeable at this season. Spring is preferable in all respects. Adieu, my dear master.

“I had forgotten the most essential. Talleyrand desires I will send to London for the following books, to which he prays you to add anything on political economy lately published. The books should be in perfect condition,—good editions, and well bound, if that will not take too much time. M. Otto will forward them, and pay for them:—‘Wealth of Nations’—Smith. ‘Political Economy’—Stewart. ‘Political Arithmetic’—A. Young. All his political works—Price. ‘Estimate,’ &c.—Chalmers. ‘Asiatic Register.’ ‘Annual Register,’ from its origin up to 80.

All his works—Bentham. ‘Theory of Moral Sentiments’—Smith, and his posthumous pamphlets. Morgan, Vansittart, Rose, Beeke, and Best. Pamphlets on the Famine. ‘Journal of Arts, Patents,’ and subscription. ‘Monthly Magazine,’ complete, and subscription. Small Map of the National Debt, in the form of a calendar. ‘Statistical Table of Europe,’ and any other articles at option and discretion.”

BENTHAM TO DUMONT.

“January 1, 1802.

“MY DEAR DUMONT,—I sent you by Tuesday’s post a crusty letter, (though not more so than you deserve,) in which the essential part was the response to your ‘essential’ half-sheet about the book commission. What think you of an accompaniment I have thought of for the books? A set, or say two sets, of my brother’s patent, but never sold, fire-irons, of which the characteristic and special property is levity.* One might be kept by T. [Talleyrand,] the other, if he thought fit, be passed on to B. [Buonaparte.] The use of them would be to serve as a specimen, though a trifling and *hors d’œuvre*, and uncharacteristic one, of the Panopt. system.

“But another, which is not only characteristic, but really important, is the art of wheel-making machinery, to the working of which neither dexterity in any degree, nor good-will is necessary. Several wheels exist here still, and a couple of pairs might be sent as specimens. They are of a size to serve for a small child’s carriage. Lord Glenbervie had a set, anno 1794 or 1795, for a carriage for his child. There exist still a pair or two of coach-wheels of the size of ordinary coaches, made by a system of machinery, in the great of which the other was, as it were, the model. A system of wheels made by such a system of machinery, would be particularly commodious for a general and connected system of national *roulage* upon a plan analogous to that of our mail-coaches; for the multiples of each of the several component parts being

precisely of the same dimensions one as another, the spoke, (*le rayon*,) for example, or the segment of the filly, (*le circonference*,) in case of an accident to any such part, might be replaced by a spare part of the same sort, either kept at the several houses of call, or carried in the carriage itself for that purpose: and if, as with us, it were deemed advisable to prescribe dimensions for wheels by law, with a view to the good keeping of the roads, such a system of machinery would afford the means of conforming to such prescription with peculiar accuracy, especially if iron rail-roads were adopted, (as grooves for the wheels to run in, almost without friction,) as they begin to be with us.

“The article of wheels, you are to know, was taken up by my brother, in the first instance, not as being the most advantageous application of machinery to wood work, but as that which affords the greatest variety of different conformations; so that, to pass on from that to such an article as window-frames, for example, in which he had made considerable progress, would be to descend from a more difficult task to a less difficult one. Sawing to a degree of unexampled fineness, and planeing to an unexampled degree of breadth of shaving, he had accomplished long before, besides a variety of *et ceteras* too long to mention, or even to recollect,—would not the *envoi* do more harm, by showing *empressement* on my part, than good, by furnishing an occasion for a fresh mention of the subject? You will judge. I would avoid writing: you may mention it as a reason, my unwillingness to put him to the trouble of an answer. My plan about the pamphlets, if I can pursue it, is to do by them as by my own copies of them,—bind them up from four to five, to a dozen or more, in a volume, with a short title to each at the back, which is thereby sometimes covered with lettering. This, besides ornament, saves a deal of trouble in looking them out for use. Besides the purchasable, I believe I shall send the unpurchasable, viz. 1. Pan.; 2. Jud. Est.; 3. Poor; 4. Tact.; 5. Emanc. The misfortune is, these require looking out;

* This refers to an invention of Col. Bentham’s of *hollow* fire-irons.

but that is not so impossible now as heretofore. As you could not find time, so much as to answer me which was the most eligible newspaper, I have begun with the *Moniteur* from 1st Nivôse, 1st January, 1802, subscribing for three months, which cost me forty-five instead of the twenty-five francs at Paris. I have taken steps towards getting it from the commencement of the present reign; but at the De Boffe's rate, as above, it would cost between £20 and £30. Those who, at different times, have had from me, gratis, so many different copies of works which they could not have had at any price, might, I should think, help me in a matter of this sort, and without any expense to themselves: but it is for you to judge. Of the fire-irons above spoken of, a few sets have been sold at different times, though never in any shop, and I believe the price has never been under six guineas. At the best, they would be very expensive to make, and are no more than a bauble for the rich.

"P. S. No correspondent commission has been received in regard to the payment for the books; the gentleman, on sight of your letter, said, that whenever such commission came, he would be sure to pay for them. Consequently, till it comes, nothing will be done. This is what I had above half expected."

"16th February, 1802.

"Herbert this morning, on taking to M. Chauvet's the returnable volume of *Bib. Brit.*, and my book-keeping papers for his edification, was told by him of his having received from you on Saturday, a letter, (13th,) in which you say that ten sheets of *Code Civil* are printed. This advance made, and not a syllable all this while to me! I cannot help being apprehensive, or, in one sense, I may be hopeful of learning, that some letter, either of yours or mine, has miscarried. Come, let me give you t'other scolding bout: you are a naughty boy—a shatterbrain—an *etourdi*, like a child in leading-strings. How do you write letters upon letters, such as all of us should be equally delighted to read, and such as might be equally visible to all of us; yet instead of its occurring to you to make

such things circulate, you put them into private letters as A B and C, mixed with private matters in such manner as to be uncommunicable. I have scolded you already two or three times, and hereby scold you again for the third or fourth time, forasmuch as you, never having the fear of God or your master before your eyes, have taken care never to ask anybody whether such a person as Dr Schwediaur, a German physician of Paris, now or *ci-devant* of the Institute, exists, *Gallicè* Swediar, and where a letter would reach him?

"Somebody or other had heard that Lord Henry [Petty] was tired already, and was on the point of coming home. Is it so?

"I have for these seven or eight weeks past, been obliged to turn aside from public affairs, to less public or private ones: I have still work for a month longer at it.

"In the *Moniteur*, 12th Nivôse, there is a paragraph from Petersburg, about a Count Saw . . . (the rest is worn away in my copy) having a commission to set up a Code manufactory; and strangers, it is said, are to be taken into consultation. Could not you, when your Code is out, get a copy sent from the proper quarter to this man, whoever he is, or to any other more proper quarter there, with a letter saying, it is by a man whose brother is still in that service, &c. Suppose you were to get the copy first handsomely bound: let us know the expense, and I will repay to your order with thanks, &c., as they bind better probably at Paris than at Petersburg.

"I have seen Duquesnoi's prospectus of the *Poor Book*. One of these days, if I had a friend at Paris, I should have a copy of it by some means or other. Romilly has heard at Holland House of your intended publications—his hypothesis is, that the intelligence came from Lord Henry. He mentioned a parcel of lords as curious and expectant on the subject—aristocrats as well as democrats.

"I want thousands of books from Paris, but know not how to get them. The unedited works that I have never

published here, I should have no objection to send a few copies of to a French bookseller, if a demand for them should ever grow up out of the published French ones."

DUMONT TO BENTHAM.

(Translation.)

"Paris, 7th March, 1802.

"I was in the wrong, my dear Bentham, but not so much as you supposed. Talleyrand has been absent for six weeks, so that nothing was finally settled. Since his return I have seen little of him. I have missed him. I waited for him. I lost mornings in waiting, and then he reproached me for seeing him so little; but if you knew my occupations, you would judge if I have time for ante-chambers—to say nothing of *ennui*. The printing of the book goes on; but in consequence of certain conversations, and seeing the absolute want here of surer ground-work for legislation, and the embarrassments resulting from it, it occurred to me that I ought to place the *Pandicia* in the first volume. I have not given it this name, but have called it a General View of a complete course of Legislation.* I had laboured hastily upon your MSS. when there was much to finish and to attend to. I wanted the division of offences—I forgot that it existed in 4to,—and had reserved it for the *bonne bouche*. But I was forced to introduce this long chapter, and am not dissatisfied with what I have done. See if I have been idle—preparing the MS., twice correcting the proofs, living in the world, dining out every day, *soirée* every night, visits active and passive—and ask of your friend, how the most busy of men had had leisure to write letters of amusement or frivolity, and to attend to other affairs? Besides, I have been ill—have had rheumatism for my host, a new visiter, and an alarming one; it installed itself on my left side, stopped my labours, forced me to call in a physician who leeches me, and I am better. Do not mention this to my friends. They would be alarmed, and there is no ground for alarm; but I have suppressed the

greater part of my dinners and my *soirées*—health has served for a reason and a pretext, and I employ both only enough for my amusement, and just to acquaint myself with what is going on.

"On the *Pandicia*, I must tell you, my dear master, that I found it excellent to throw at the head of these starlings (*etourneaux*) of legislation, to show them what an *ensemble* means; to teach them the difference between a man who knows *ponere totum*, and him who only grasps a very small part of a great whole. If there be anything calculated to strike an enlightened man—a man of mental power and extensive views, it is this general Map of Legislation. If this panorama does not produce its effect, and place its author at an infinite distance above all who have preceded him, I know nothing of the matter, and cannot say what should be done.

"We are printing the Principles of the Civil Code—these and the Penal Code are nearly complete—with the exception of the 4th book, on indirect means. You know that I found among your papers a bundle of MSS. on this subject—too precious to be lost—and I am infusing them into the work.

"Lord Henry [Petty] enjoys Paris much. He has thoroughly succeeded in society—is much sought for, much caressed, and much delighted.

"People begin to talk about our book. I kept the matter a secret, that I might not be annoyed in conversations, but it is the scent of the play. Its effect will be great. It is spoken of from aloft as a work of the highest importance. Talleyrand is deeply interested. Yet what a life—what a galley-slave life is an editor's! Correct as he may, faults will remain to tear his soul in pieces—an & is wanting—a word is omitted—a letter misplaced—stops in confusion. Truly a corrector of the press is a galley-slave!

"Your fire-irons are superfluities. I have no opinion to give. I am not familiar with such instruments. But I have spoken of Panopticon. It was coldly received. They said 'Yes! it ought to be erected, and they would think about it when the time came.' The time anticipated is the time of peace. It is prema-

* See General view of a Complete Code of Laws. Works, vol. iii. p. 155.

ture to suggest anything that looks like *establishment*, or that demands confidence. Come here if you will—come before I leave, at the end of May. You shall have theatres, public amusements, promenades, the Boulevards—as much or as little of the world as you please; but I say nothing about whist. The proofs that nothing is to be done now, is, that I forgot to mention the subject before. Address—Rue des Saussaies, No. 4, Fauxbourg St Honoré.”

BENTHAM TO DUMONT.

“Q. S. P., 16th April, 1802.

“You would oblige me much, my dear Dumont, by sending me, by the earliest conveyance you can find, a copy of the two volumes which, I hear from Romilly, are already printed. Expense, though it were to amount to a guinea or two, would be no object; but if it could be done without considerable enhancements of the expense, I would be glad to have two or three.

“I let slip unawares the occasion of Chauvet. I knew that somebody was going to Geneva; but I did not know that it was by the way of Paris, nor that it was he. I am concerned to think of his departure: such a man makes a gap. By a sort of instinct, I was prompted to call upon him, for the purpose of taking leave. Reason joined with indolence in stopping me: such leave-taking serves for nothing but to increase regrets.

“You will imagine how I stared at seeing, in the *Moniteur*, an article of intelligence about the Institute, with my name to it. The next thing I shall expect, is the appointment to a mandarinship, from the Emperor of China. You must have been intriguing like ten dragons; unless the use of my name was to make up the two ciphers, for the benefit of an efficient figure, to be chosen of the two German compilers: compilers I take for granted since they are Germans, which I also take for granted from their names, not having the honour to know either of them (probably as being myself so completely unknown) beyond their names. Successful or unsuccessful, I do not mean at present to impose on you

the task of developing all these intrigues: it will afford us amusement when we meet. When you leave Paris, I hope it will be to come here, for a time at least; though, on reflection, I fear the contrary. You may have observed, in some of our papers, an article about Romilly's being Solicitor-general. I had the intelligence, as I thought, from his own office, and went to congratulate him, and found it groundless.

“With respect to the fire-irons, &c., you seem to have considered me as attaching to them a degree of importance much beyond what I really attached to them in my own mind. A favourable opportunity appearing to present itself, it occurred to me, that what is of no use *here*, might possibly be found of some small use *there*. As to the intrigue about the Institute, since it is begun, e'en let it take its course. But I want no other.

“My whole time is absorbed, and for these two months I suppose will be, by a pursuit, of which you are unapprised; and which there is neither time nor use in explaining to you at present.

“As far as I can judge, from dipping in here and there,—for as yet I have given it no regular reading,—Duquesnois's translation seems very well executed. Should any of the Prefects fill up any of the tables,* it would be a great satisfaction to me to receive them.”

Smarting under the ill usage he had received in the Panopticon business, and worn out with the intolerable delays which retarded any decision on the matter, Bentham applied to Sir William Pulteney, urging him to bring the matter before the House of Commons.

BENTHAM TO SIR WILLIAM PULTENEY.

“Queen's Square Place,

“Westminster, 28th April, 1802.

“SIR,—In common with the rest of the public, I remember, so long ago as the time of Mr Fox's East India Bill, looking up to you as, beyond comparison, the most watchful and efficient, as well as among the most independent guardians of the Constitution.

“At present, feeling a sort of call upon me, to contribute my humble part

* See Pauper Tables, in vol. viii. of the Works.

towards bringing before Parliament, what presents itself to my view as an anti-constitutional misdemeanour of the first magnitude—no less than a wilful, corrupt, and obstinate exercise of *dispensing power* (not to speak of a long train of comparative peccadilloes) on the part of some principal members of the departed administration, in conjunction with one or two of the present; in looking round for a parliamentary leader, I can see no man to whom, on such an occasion, I could address myself with anything like equal confidence.

“Though, in my individual capacity, the principal part of the mischief of the offence has fallen upon me, I do not consider myself as having, in the common acceptation of the term, a *personal interest* in the inquiry; having had reason given me to expect, that under the present administration, such reparation as I may be capable of receiving, will not be refused;—but, as to their willingly concurring in setting on foot an inquiry relative to the public crime, you will judge whether any such support would rationally be to be expected.

“Time and reflection have, to such a degree, cooled my feelings on the subject, that your opinion on the question, whether or not it would be best for the country on the whole—in a constitutional point of view—that the business should be brought to light, or suffered to rest in its present obscurity, would contribute, in no small degree, towards determining me whether to go on with it, or let it drop.

“Amongst other members of Parliament I can take upon me to mention not only Mr Wilberforce, and Sir Charles Bunbury, but the Speaker and Mr Nepean, as being fully impressed with the persuasion, that the treatment given to the individual has been, in an unprecedented degree, oppressive and unjust,—and the conduct of the late administration, in respect of it, altogether indefensible. The two former gentlemen have been spontaneous and active, and, as they have assured me, not unsuccessful in their applications to the present administration for redress; but you will go before me in conceiving that, for dif-

ferent reasons, neither of them are men to be applied to for such a purpose as that in question here. Sir Charles has, indeed, been kind enough to offer to say anything that I would wish him to say in Parliament; but it was not in the nature of the case, that his views on the occasion should have gone beyond the particular concern in which I am personally interested.

“Mr Nepean proffered himself at the time, as willing, upon occasion, to avow and support in Parliament a plan of adjustment, which he had already negotiated with the late Treasury and Mr Long. He made no secret to me of his looking upon their conduct, on that occasion, as calling for parliamentary inquiry,—and of his readiness to declare his opinion of it to the face of Mr Pitt; Mr Pitt being then minister, and then, and always his personal friend. In a narrative which I have almost finished, I refer all along to his testimony. But for a man in his most laborious office,—and unused to public speaking,—for a secretary of the Admiralty to take the lead on a great question of constitutional law, and that might come to involve a long operation of committee-work, is, of course, not to be thought of.

“As to the Speaker [Abbot]—ever since his being in that situation—I have kept aloof from him, as a suitor from a judge. But he has never been either backward or secret in his expression of the sense he has always entertained of the conduct of the late Administration towards me,—and having, contrary to my wishes, heard (through my brother) of my having something upon the anvil, which was not destined to be kept secret, he accosted me t’other day with the spontaneous expression of his wishes for my success.

“None of the gentlemen above-mentioned have any conception of the anti-constitutional offence; none of them having ever had any communication of a concealed letter, by the publication of which it would be brought to light. I should have excepted Mr Nepean; but he, though struck with the gross errors he saw it full of, and accordingly, as a member of the Administration, having

been anxious for the suppression of it, yet, not being a lawyer, nor, at the time, so much as suspecting the criminal consciousness (or, as our English lawyers call it, the *mala fides*) with which he afterwards saw but too much reason to believe it accompanied, it certainly did not, at the time, present itself to him in so serious a light, any more than it did to me, till I came to bestow a more particular attention to it in that particular point of view.

"To the Opposition, an investigation of this sort would be such a game to play as you can much better conceive than I can; but having, all my life long, been as much above party in one sense, as I have been below it in another, it is but natural I should address myself, in preference, to a man who is superior to it in every sense.

"I write this, therefore, Sir, to beg to know, whether—supposing the charge to be as above described, and the evidence sufficient, in your judgment, for the support of it—you would feel inclined to take it up, and take the lead in bringing it before Parliament. In the event of your answering in the affirmative, I would transmit to you, in the first instance, a half-sheet of paper, in which the most important of the articles are recapitulated; with or without another short paper or two, such as may serve to throw some fuller light on the business, without consuming too much of your time, in this early and uncertain stage of it.

"But as no person whatever but my amanuensis has seen what you will then see, I hope you will not refuse me the favour of your assurance, that, without my special consent, whatever I communicate to you on the subject, shall not be suffered to meet any other eye or ear but yours. The small remnant of the present Parliament is, of course, altogether out of the question; but though, for obvious reasons, a regular *notice* cannot be given as *from* Parliament to Parliament, it would be a point for consideration, whether an intimation to that effect might or might not be an eligible preparative.

"The more speedy the answer, the

greater will be the favour to, Sir, your most obedient and humble servant," &c.

SIR WILLIAM PULTENEY TO BENTHAM.

"London, 30th April, 1802.

"SIR,—I was favoured with yours of the 28th, by last post, and I return thanks for the civility of your expressions concerning me. I had occasion, some years ago, to read, with much satisfaction, a work of yours which did credit to your talents, and I particularly agreed with your opinions and reasonings, against all taxes on the proceedings of Courts of Justice.

"I am certainly not indifferent to anything which regards the admirable constitution of our country; and no part of my conduct in Parliament has hitherto masked any views which regarded myself personally; but I am too much engaged in business relating to my own private affairs, to undertake that sort of public business which is suggested in your letter, as it may require an attendance of some length in a committee, if an inquiry should be granted. If the business should come forward in the House, I shall certainly give it the most impartial consideration. I am, Sir," &c.

DUMONT TO BENTHAM.

(Translation.)

"Paris, May 2, 1802.

"A quarter of an hour's tittle-tattle with you, dear Bentham, were it only in broken phrases. I send you the two volumes—which I have had much trouble in completing: they have their own reasons for not printing the last sheet till they print the titles.* I do not send you the preface—it is all by me—it is all about you. Is it for this you offer me the three guineas? You do me too much honour. I have said what I ought to say for the success of the work—but less than I should have said, had I not feared an editor's excess of zeal—besides, there is a certain modesty with which one must speak of one's friends: are they not part of one's self? is not one suspected of self-

* The "*Traité de Législation*," &c.

appropriating a portion of the laud one gives them? However, the book is asked for—impatiently. I am entreated to announce, however. I stand on the pride of a man who knows that his work is a work of merit—and that pride is useful too. Talleyrand is looking round for workmen capable of working our mine; but they are rare. You will be sometimes pleased—sometimes displeased. I have done my best: reproach me not: I may not always have thoroughly seized your meaning: I may have weakened you. Had more time been mine in Paris, I might perhaps have improved the style. On the whole, I anticipate great success—not immediate, but enduring.

“The Institute is not an intrigue: I have some friends among them. They proposed to nominate you: I said not No! and so the matter stands. When you were nominated, I wished you to succeed, and told my friends that I thought it strange a mere German compiler should be thought of in preference. But Talleyrand says, the mode of election is so absurd, that an unknown man of mediocrity has better chance than ability of the highest merit. I cannot explain all this to you—it would be too long; but I foresee that your election cannot be secured: and, if you are not elected, draw no deductions.

“Our book will bring controversy with it: but paper war will not damage us;—it is better than the peace of the dead.”

BENTHAM TO GEORGE WILSON.

“Q. S. P., May 22, 1802.

“DEAR WILSON,—A-rummaging among some old lumber, out came a parcel of copies of a little tract, which I believe you saw at the time of its being first hatched. I don’t know whether you have e’er an one. I send two—one of which you will keep or burn, as you think fit: the other you may send to your neighbour the Master of the Rolls, [Sir W. Grant,] in your own name, or in my name, or in no name at all—as you please. Reading t’other day the account in the *Times*, of his speech about the peace, he seemed to me an animal *sui generis* amongst lawyers, and indeed amongst parlia-

mentary men. I wish he had the Chancellor to snuff candles for him, or do anything else, if there be anything else he is fit for. The notions of the Master about colonies approach nearer to what I call reason, than those of almost anybody else I have met with. I did not know the Millennium had been so near.

“Two volumes of Dumont’s book are at Q. S. P., all but the preface, which he would not send, either because it was not finished, or because it is about me. The other is to be out as soon as the month is.—Yours ever,

“J. B.

“P. S. I will sell you as many as ever you have a mind for at a halfpenny a-piece, without insisting on ready money.

“I mean of the Colony pamphlet. As to Dumont’s book, it is not mine. But if waste paper is scarce with you, you shall have a copy when it comes.”

“*Lincoln’s Inn, Thursday 27.*

“DEAR BENTHAM.—I have given your pamphlet to the Master of the Rolls, and told him you sent it him in consequence of his speech, because you were pleased with his notions about colonies. He is obliged to you, and thanks you; but he is a cold and silent man, and whether he likes the pamphlet or not, neither you nor I will ever know.

“It appears to me to contain important truths very strongly put; but the French Government was not, and is not ripe for their reception. Neither are the Government or people of England.—Yours sincerely,

“P. S. I long very much to see Dumont’s book. Trail’s permission to return is at last gone, and we may expect him in a month. I have written a note to Miss F——. Is your brother in town?”

The following letter to Dumont, written by fits and starts, and on different scraps of paper, exhibits Bentham’s habit of suspending his ideas on “pegs,” to use a phrase he was accustomed to employ:—

BENTHAM TO DUMONT.

“27th–30th June, 1802.

“*Avocats-Courtisannes, &c. &c.*—

“Oh, yes—wonderous merit, truly!

If I had called a cat a cat, would that have been any warrant for your making me call him so? My picture of a lawyer was not half finished: I had not laid on half the colours I had in store for him.

“*Commissions*—

“Millions of thanks for the kindness of the offer, and the means you afforded me of profiting by it.

“I have said in my wrath something like what David said in his. All Frenchmen are independable upon—all except Dumont: and Dumont, too, is a Frenchman.

Εἶπεν ὁ Δημόδοκος· Χίσι κακοὶ οὐχ ὁ μὲν, ὅς δ' οὐ
Παντὶς, πλὴν Προζλεύς:—καὶ Προζλεύς Χίος.*

“My Greek displayed, I except your excuses, naughty boy! and pardon you.

“*Petite Injustice*—

“You are a pretty fellow, ain't you? So beautiful you, I did not know you from myself. A compliment so fulsome, my fear was, lest in that character you should not be able to swallow it; and, lo! mixing it up with bile of your own, you convert it into an injustice. Seriously, though; whatever parts there may be in it of yours, with very few exceptions I have not been able to distinguish it from my own. If I had nothing else to do, it would be matter of amusement to make the rummage you are for putting me upon, and give *surum cuique*.

“28th June, 1802.

“Received your two letters, one dated 27th Mai, the other posterior to it, with no other date than *Lundi*: I suppose the 7th of this month, June—if it was not rather the 31st of May; for in that of the 27th you speak of your departure as fixed for that day four days. In your letter of *Lundi*, by Mr Studdings, you speak of your having sent, along with the complete copy in three volumes, ‘*Le troisième volume défait*.’ What means ‘*defait*?’ Literally it seems to mean, first *done up*, (i. e. sewed,) and then *undone*. I suppose it means here, not done up—i. e., as we say, *in sheets*. Be this as it may, done, undone, or not done, no such thing have I from Mr

Studdings. His servant brought the complete copy in three volumes, loose. H. K. asked him for the other odd volume, translating to him that part of your letter—but he knew nothing of the matter. His master had then already been in London a fortnight, he said, and the day he brought it was 23d June. Since then I have heard nothing from Mr Studdings: so that the third volume, if sent, must have served him for waste paper. Sending the next day, (according to your worship's order,) the two first volumes of my entire copy to Romilly, I sent him a license, if he thought it worth his while, to dun Mr Studdings for the other. So much for Mr Studdings.

“Your *Lundi* letter promises a dozen copies through Deboffe. Instead of those dozen, came, on the 25th, half a dozen from Abauzit, with a promise of the rest soon. This was I suppose by a fresh occasion, unthought of when you mentioned Deboffe. Abauzit had the honour to be mine, &c., ‘*avec tous les sentiments d'un homme heureux, régénéré par la lecture de mes ouvrages*.’ What does this mean?

“He is a *Ministre du Saint Evangile*, is not he? Have I his soul to answer for, then, as well as other souls?

“*Paper Wars*—

“I should like much to see your paper wars with Morellet and Garnier; and if you had been good for anything, you would have told me that I should see them, and how. Is there no young man in Geneva that would be glad to take a copy for so great a man as Monseigneur Dumont? Paper to make war upon us *et tu Brute*? As for your man of merit, I have been sadly disappointed with him. He has thrown a little more light upon the subject here and there, but I doubt a good deal more darkness. His levity, presumption, ignorance—blindness frequently, with every mark of wilfulness, is prodigious. To be sure, I have not yet read half his volume, but I don't know how to get on with it. Text and commentary together will make such a hodge-podge, as we must endeavour, one of these days—if Providence grants us life and grace—to supersede.

* Adapted from the Anthology—beginning Καὶ τοῖς Δημόδοκον.

You may expose his want of instruction, but as to instruction from him, I doubt neither you nor the public will get any. You will find in him neither the candour nor the discernment that are necessary for that purpose. From what I saw of him already, I set him down in the list of incurables. Can you tell me whether he had seen 'Emancipate your Colonies,' 'Law Taxes,' 'Defence de l'Usure' or 'Defence of Usury,' or, 'Judicial Establishment'? Notwithstanding all I have said, I would send them to him—such of them as he has not seen.

"Gallois' Puff—

"We are looking for it every day, with all our eyes, like astronomers for a comet; but we have the *Moniteur* of 7 Messidor before us, and still not a syllable of a puff from him, or anybody. Will he put his name to it, I wonder? Many puffers (I see) do:—if a puff without a name is worth one pot of beer, a puff with his name is worth two.

"You see the *Moniteur*, I suppose, regularly: and thence you have seen the *annonce* of the book,—the simple, or rather imperfect *annonce*, with my name only, and not yours. The bookseller is a noodle. The lettering at the back of the book is,—[*Traité de*] 'Legislation [par] Bentham.'—Bentham, *Legislation Penale et Civile*,—would have been more expressive.

"On second thoughts, I am inclined to think I misunderstood your expression, '*Gallois s'est chargé de l'annonce dans le Moniteur*.' Perhaps, by the simple *annonce* above mentioned, he has acquitted himself of the charge. And this was all the charge you meant. But for this, what need of Gallois?

Nec Deus intersit nisi dignus vindice nodus.

Was not the bookseller equal to the task of copying and sending to the newspaper the title of the book? We shall see, one of these days, what the *Journaux* say of it. In the meantime, if you are good for anything, you will let me know whether people say anything at all about it at Paris, where I presume your citizenship is not altogether without correspondence.

"By the by, do you know that my citizenship went to the keeper of the

voting-book, and voted a freehold interest in the consulship to Buonaparte.

"Henry Thornton on Paper Credit—

"This is a book of real merit,—a controversy with him would be really instructive. I have tumbled it over but very imperfectly, that not being the order of the day, and for fear of calling off my attention, and absorbing my capacity of exertion. But one of these days I may not improbably grapple with him. Admitting all his facts, with thanks,—agreeing with him in almost all his conclusions,—but disputing with him what seems (as far as I have as yet seen) to be his most material conclusion, viz., that paper money does more good than harm. Here is a book of real instruction, if the French are wise enough to translate it: the style clear, plain, without ornament or pretension; the reasoning close.

"Archimedes [Sir S. Bentham] received (through he knows not what channel, I suppose Abauzit) two copies of a book, which goes at Q. S. P. by the name of 'Dumont Principes.' Whatever was the design of this anonymous, not to say insidious, present, the effect of it was destroying subordination in a regular, quiet family,—making younger branches insult the elder,—snapping their fingers and vaunting their independence.

"Institut—

"I had like to have forgot the Institute, I declare,—a pretty kettle of fish there we have made of it. You must now draw in your horn, and put your microscope in your pocket. You will not have the face to set about making observations upon man, now that auspices are wanting from above.

"Has Abauzit fingers capable of holding a pen? If so, and he is a true apostle, you might set him to take off some of your enemies off your hands.

"Cuvier—

"Thank you for your account of him. His name was as well known to me as any name, viz., by its connexion with his works, which, however, I know only from extracts.

"Benthamite—

"Benthamite? what sort of an animal is that?—I can't find any such word in

Boyer's Dictionary. As to religion—to be sure a new religion would be an odd sort of a thing without a name: accordingly there ought to be one for it—at least for the professors of it. Utilitarian (Angl.) Utilitairien (Gall.) would be the more *propre*. Consult the Physical Class of the Institut: which, by the by, I am truly sorry to hear you say, is on its decline, or at a stand at least.

“*Dumont's Return*—

“You have nothing particular to do here: when you have seen Lord H. safe to whatever place he would be safe at, you ought to take another trip to Paris, to see how matters are going on there. You might by that time take the opportunity of buying *Dumont Principes* at so much per pound. Imported here, they might be put into one of the new invented *Quasi-Medica* kettles, boiled young again, and regenerated into poems and sermons. You brag of your paper, but, besides its letting the fingers through, it will not hold the ink—a device of yours, I suppose, for stopping the career of my amendments.

“*Place and Time,* &c.*—

“I have not compared anything with the original *brouillon*, and probably never shall: but, as far as I can judge, it is a happy thing that there happened to be so much room to spare. The *Promulgation des Raisons* edified me very much: it was a favourite topic, and I was very glad to see it, and see it so well managed; putting the specimen after the general matter, was an idea altogether excellent. Place and time being of the nature of that sort of general speculation that *one* likes, and, at the same time, fixed and specialized by the applications made of it, will, I should think, be found rather amusing than otherwise, and, by giving a sort of *vernis philosophique*, make an excellent finish. I have filled my paper—a duty I never neglect: so now, my good boy, good by to you.

“*Code Manufactories*—

“You see from the *Moniteur* that

there are several of them setting up at Petersburg—in Bavaria—to say nothing of probable ones in little Republics. Of the six copies received already, I think of sending two to Lord St Helens, leaving him to do with them what he pleases. Even Rumford, would be a proper channel, I suppose, for anything to Bavaria: but it is against my habits—my principles—my everything, to propose it to him. By Peltier, I suppose, it might be done, if you thought it worth while to mention it.

“*German Critique*—

“Should it fall in your way, I wish you would give a commission to any German capable of undertaking it, to transmit to me whatever critique may come to be made upon *Dumont Principes*. I would not grudge a few pounds (nor, in short, any sum that it could amount to) in this way, for my *menús plaisirs*. I would not serve you as X. Y. Bellamy had liked to have served us.

“*Diatribes contre la Loi*—

“How rare and extravagant is that proposition about suppressing advocates, &c. It is as if a man would propose to keep meat sweet, by keeping maggots off from it. He has made me ashamed almost every now and then of my own opinions and my own wishes, by the bad arguments he has given for them.”

Bentham sent to Wilberforce his statement of the grievances to which he had been subjected on the subject of Panopticon; and in answer to the inquiry whether he should publish, Wilberforce replied†:—

† The following notice of the subject of the letter is from Wilberforce's Life, vol. ii. p. 71:—

“Never was any one worse used than Bentham. I have seen the tears run down the cheeks of that strong-minded man through vexation, at the pressing importunity of creditors, and the insolence of official underlings, when, day after day, he was begging at the Treasury for what was indeed a mere matter of right. How indignant did I often feel when I saw him thus treated by men infinitely his inferiors! I could have extinguished them. He was quite soured by it; and I have no doubt that many of his harsh opinions afterwards, were the fruit of this ill-treatment. ‘A fit site,’ at last wrote the weary man, ‘obtainable for my purpose, without a single dissentient voice, is that of the golden tree and the singing water, and after a three years’ consideration, I beg to be excused searching for it.’ ‘Bentham’s hard measure’—Bentham

* See the Influence of Time and Place in matters of Legislation, Works, vol. i. p. 171.

WILLIAM WILBERFORCE TO BENTHAM.

"*Broomfield, September 3, 1802.*

"MY DEAR SIR,—I have run over your packet very hastily—it has found me lying under an arrear of business which I am impatient to clear away, but I would not wait the full time you allowed me to keep your papers, in order to find a day of leisure, which experience has instructed me to fear might disappoint my hopes. Without further delay, therefore, I will express to you what occurs to me on this hasty perusal. Excuse any marks of precipitation which my letter may contain, and impute them to my being obliged to write hastily, if just now I write to you at all. Yet I honestly confess to you, I am tempted to lay down my pen at the very outset, from a fear lest you should misconstrue my motives, and lest my advice should be wholly thrown away. But I will persist: if without effect, it will be a satisfaction to me that I have acted with rectitude and kindness in making the endeavour.

"It is but too natural for any one who has been for so long a period as you have been, a sufferer from that 'hope deferred which maketh the heart sick' to feel acutely, and to express himself warmly. But he will yet allow a person who has a sincere and deep sense of the hard treatment he has sustained, and both on public and personal grounds, a cordial wish to see the actual accomplishment of his long-meditated plan, to speak to him with that frankness, to which only the epithet of *friendly* can be justly applied. I might return your papers with a short note of acknowledgement, with less

cruelly used'—'Jeremy Bentham *suo more*,' are in Wilberforce's docketings upon the letters which, at this time, passed frequently between them. Some of them are not a little singular:—'Kind Sir,' he writes in one, 'the next time you happen on Mr Attorney-general in the House, or elsewhere, be pleased to take a spike, the longer and sharper the better, and apply it to him by way of memento that the Penitentiary Contract Bill has, for I know not what length of time, been sticking in his hands; and you will much oblige your humble servant to command,

'JEREMY BENTHAM.

"N. B.—A corking-pin was yesterday applied by Mr Abbot."

trouble than it will cost me to say what I am about to communicate; and as from my indifferent health and little leisure, my time is by far that possession of which I am most covetous, you may judge from the share of it which I willingly allot to you, that I am much interested on your subject. That you should lose a little of your temper, too, after having lost so much of your time and money, is not to be wondered at. I fear, had I been in your situation, I might not have borne my ill-usage with so much philosophy; at least I am sure I should not, except from being enabled to calm my mind by those soothing as well as consoling cordials which religion alone can furnish. But let me honestly ask you, what is now your object? and let me earnestly conjure you to consider whether, both on personal and still more on public grounds, you ought not to adopt a different tone and course of conduct from that which you seem disposed to assume.

"The objects of your personalities are the Duke of Portland, Mr Pitt, Rose, Long, Addington, and Lord Belgrave, and Lord Pelham. Now, I will not argue with *you*, concerning the justice or injustice of your censures, in the case of some of these gentlemen; but can you doubt, that it will with the world be a sufficient answer, of which every man's own mind will anticipate the actual suggestion, that Mr Pitt, having the whole machine of government to superintend, during a period such as never before was witnessed in the history of this country, may be forgiven, if he neglected one subject, though of importance, which was not within his immediate department? You cannot have lived so long in the world, without knowing how superficially men inquire, and how much they judge from formed prejudices, and preconceived opinions, in all these cases, wherein individuals state that they have been injuriously treated in their transactions with government. But I will speak out. Mr Pitt's real faults in this matter are two. First, and chiefly,—procrastination. Secondly,—suffering himself too much to be influenced by some of his friends:

Lord Spencer I chiefly allude to, whose land was to have been compulsively purchased from him for the site of the Panopticon. By the way, it is only justice to Lord Spencer to say, that probably it was owing to his agents, through whom great men like him see and hear, as well as speak, that this influence was used to prevent the original agreement about the land from being fulfilled. He is a liberal, generous man, with the high spirit of a nobleman, and would not have resisted, I think, unless misinformed and misled; nor had he, probably, any idea, that he was stopping the work, and that land would not easily be found elsewhere. But how do you treat Mr Pitt? You speak of him, as though he had been fully aware of all the delay that would take place, in consequence of his procrastination (whereas it is the very nature of that disease to infuse a hope of sure, and perhaps early, but only not of immediate performance;) and still more, as if he had been aware of all the suffering and losses which would fall on you in consequence of it. Now, can anything be more unjust? A thousand parallel cases might be put to prove it so; but this is needless. My object is only to convince you, that people will not be so forward as you may suppose, to impute it to Mr Pitt as a matter of extreme blame, that he put off your affair from year to year, as little intending it, no doubt, as you yourself did. For the Duke of Portland, I will say nothing; nor will I say anything against him. Your ludicrous caricature of him might excite a laugh at his expense; but it would do you yourself a more real injury, by conveying an idea that you were writing more from the feeling of resentment, or to gratify the sensations of a lively genius, or to gain the praise of a witty satirist, than to obtain tardy justice for yourself, and for the public an establishment of great usefulness, and even indispensable necessity. I will fairly own to you, that I shall be silent on the Duke of Portland's subject; because he has behaved so *very* ill in a transaction, in which I have unintentionally been a party concerned, that I have long and seriously doubted,

and still doubt, whether I can be excused from making his conduct the subject of parliamentary discussion. As for Messrs Rose, Long, Vansittart, Addington, &c.—I mean the Secretary of the Treasury—what will people think? Why, that the principals in their departments, not having made up their minds on your business, they had been the immediate instruments in putting you off from time to time; and, perhaps, that they had sometimes deceived either themselves or you, or both, by not opening their eyes to what was likely to be the consequence of admitting any procrastination at all, in a case where there already had been too much delay, and where the grounds of decision were clear and satisfactory. But people will, as they ought to do, make allowances for men in their situations, overburdened with business—worried by suitors of all sorts—liable like the rest of the world to be out of spirits, or out of humour—to be peevish from a fit of the cholic or the headache. Remember, my dear Sir, that the very circumstance of all these different men having treated you so ill, will of itself make against you. Remember, their friends will say, they had no private interest in preventing Mr Bentham's scheme from going forward: they had, &c. &c.;—but there is no end of what I might say. Observe only, I have said nothing of the private characters of these gentlemen, nor have I spoken in the language of private good-will, which I bear for all of them; but I will declare, that after a long and intimate knowledge of them all, I believe them men of integrity, good nature, liberality—not without their faults, but in a situation wherein an angel could not give universal satisfaction. But I must say a few words about Lord Belgrave, though I really recoil from the task I have undertaken, of expressing what has occurred to me on your packet; for though I scribble *en galop*, my time is nearly consumed, and my fingers wearied, and yet I have scarce made a beginning. My only doubt, I see, will be whether to throw my incomplete remonstrance under the table, or to send it; or rather one-tenth of it, (for I shall not get

through one-tenth of what I wish to say,) in its crude and unfinished state. Lord Belgrave is one of the best and most amiable young men in this kingdom, of talents too, which, had not his high birth and ample fortune been in the way by damping exertion, would have made him distinguished in any line in which he had sought for eminence. Now you yourself say, that his surveyors assured him his property would not suffer in value from your Panopticon. In fact, I am persuaded he would be influenced by no such consideration; but he too easily believed the Panopticon would be a bad neighbour! And is that a mistake for which all respect, all regard should be banished, and you should hold him up, as far as in your power, to ridicule,—the severest punishment to an ingenuous mind? But, farther, you speak with levity at least, if not ridicule, of his religious character. Where any man, by the inconsistency of his conduct with his professed principles, gives just ground to suspect him of hypocrisy, let him be charged with it; but let him, by whom the charge is brought, be careful lest a suggestion is excited, that it is not hypocrisy, but religion, which is the real subject of offence. And is it for Mr B., the reformer of the vicious,—(and in no character has he ever appeared to me in a more amiable or dignified light, than when exercising the resources of his ingenious mind for so laudable a purpose,)—is it for *him* to laugh at any one as a *propagator of Christianity*? Excuse me, my dear Sir, if I feel a little warmly. I have often fought your battles with warmth: I mean still to do so;—and the very same motives which prompt me so to do, generate that warmth with which I must condemn the style and spirit in which you have resented the error of a most respectable and truly amiable character, on whom, in these days, as I verily think, this country may look with more hope and confidence than on any other man living, for the greatest of all services,—the elevation of the moral standard, and the preservation of our manners and habits from that taint of practical infidelity, in all its varied forms of vice and dissolute-

ness, which is the true Jacobinical contagion, the most pernicious plague that can infest society.

“But I must draw towards a conclusion—a word or two of the present Chancellor of the Exchequer, and of Lord Pelham.

“They will be excused if they delayed the first entire year of their administration to put the finishing stroke to your business, which was rendered, remember, a matter of greater difficulty and more labour to investigate, from the very delay, and the numerous proceedings of past times. And what do you expect to get by any publication, or any hostile proceedings of the spirit and colour to which I am objecting? Remember, my dear Sir, it is, above all other things, to be kept in mind—that, when once you threaten a man, in these days of modern honour, you make it, in the highest degree, difficult for him to comply with your wishes, because you render him liable to the imputation of having complied from intimidation. Unless a man has more than ordinary magnanimity, or more than common principle, he *cannot* bring himself, when bullied, as he would call it, to do that, which otherwise he might have done without unwillingness. Independently of all the sophistry of honour, there is a *real* objection to complying when threats have been used, because you render it likely that they will be resorted to in other cases, as the expedient by which the desired object will be most surely obtained. From experience I speak, when I assure you, that it does require more firmness than can well be summoned up, except on Christian principles, to hold on the same course one would have done, if such a vile imputation had not been made to fasten on one's adherence to it. But, according to the common way of thinking and judging in the world, believe me, from the very moment of your having been known to use, to any of these gentlemen, the language of intimidation, they would be justified in stopping short. Now, what will you have gained, when, on a cool and subsequent review, you compute your acquisitions—the character of an acute, clever, biting satirist?—

the revenge of great and undeserved injuries? The former you do not want—the latter (I will not stop to ask how far a just object of pursuit) you will not obtain. But what becomes of the Panopticon all this time? I have argued on personal grounds merely: but I cannot suppose you to have become indifferent to the accomplishment of a plan which, in itself of the highest public utility, a monument more truly glorious to the genius and perseverance, and public services of its accomplisher, than any with which it falls to the lot of almost any man to be honoured by the favour of Providence,—a plan which, in itself, I say, deserving this high eulogium, may, still more, be the means of changing our longestablished system in all that regards Criminal Justice, and will be a precedent, taking it in all its bearings and connexions, abounding in more lasting and important benefits than almost any which any one could devise: and yet, as I believe, by the course you are pursuing, you are not only blasting whatever prospect there may be of effecting *your* plan, but opposing an almost insuperable obstacle in the way of establishing any similar institution: whereas I cannot but entertain a persuasion, (I should say, a confident persuasion, if, after all I have witnessed, I durst be confident,) that if you will take your measures with prudence, judgment, moderation, and temper, the next session of Parliament will not pass away without your bringing this long-suspended business to its termination.

“(I was interrupted, and I now resume my pen.) Give yet one other trial; and if it prove in vain, then I will no longer try to avert or suspend the storm you threaten; but in the effect of which, perhaps even then, you will find that you deceive yourself. I assure you, most solemnly, that, in what I have written to you, I have been influenced by a strong and sincere regard for the accomplishment of the object, and by motives of friendly concern for you, accompanied by an apprehension that your long-continued ill-usage may a little have warped your judgment on the one hand,—may have kindled too

keen a desire of vengeance, and have made you desperate of the success of any farther endeavours. My advice would be, that you should yourself go on with the same diligence you have already used, to obtain whatever information may tend to show the evils of the system of Botany Bay, N. S. W., (there I can give you some aid,) or in any other way, furnish arguments in favour of Panopticon; that when Parliament meets, a few of your friends, and of any gentlemen who have made these matters the objects of their attention, should hold a council of war, and consider what course it will be best to pursue: I will myself gladly assist, and give you *all the aid I can*—I wish I durst hope it would be of any great effect. I am SURE, however, that this plan is the only one likely to lay the foundations of the Panopticon. You hazard nothing by pursuing it; because you may, after the trial of it, resort to your own.

“I dare say you think that I was grown cool about your business; but really I never have been so; but when any one has such a multitude of different things as I have, all clamorous for that time, which, like any other insufficient supply, is dealt out to them in short allowance,—he too naturally neglects matters, however important, which are not brought before him, and in which he is not the principal party. I grew *almost* ashamed to see you, and I was *quite hurt* whenever we met, from the consciousness that you had suffered so much from men for whom I felt a friendly regard.

“But I must stop—I shall wear out your patience, without adding to my own; I will only say one thing, which I forgot to mention before,—that you have many connexions and friends, (the Speaker, Lord Redesdale, &c., &c.,) who will probably assist as your friends, if you do not assume an aspect hostile to the last or present Administration; but who, if you do, will shun you as tattooed, and not say a word in favour of the great object.

“Hoping that I shall yet shake hands with you in the centre of the Panopticon, and lay the top stone with a huzza!

I remain, my dear Sir, yours very sincerely.

"P. S. I have been forced to scribble in order to save time. I wish I may be legible; but you will excuse the hieroglyphical nature of my characters."

A pleasant correspondence conducted with Sir F. Eden, author of the "History of the Labouring Classes," &c., refers to many topics of interest:—

SIR FREDERICK MORTON EDEN TO BENTHAM.

"Brighton, 3d September, 1802.

"DEAR SIR,—Permit me to thank you for the high gratification I have received from the perusal of a book lately published by Mons. Dumont. He has collected a glorious harvest of your sowing. If life is divided into pain and pleasure, you have certainly much enlarged our stock of the latter. I hope, however, the monopoly of it will not be confined to French readers; and that you will procure us the work in an English dress. How many books will it render useless! It might take as its motto,—*ipsa utilitas justi prope mater et æqui*. A few corrections seem necessary; M. Dumont has not done you justice in several places;—the abstract of the Panopticon is too concise. He does not explain the proposed ingenious mode of guarding the building by sentinels on terraces *without*, a plan adopted with great success about the French prison near Bristol. Have we any chance of seeing your Panopticon fairly tried? You seem to have been scurvily treated; and I am sure the misanthropic adage, *socios habuisse doloris*, will furnish no consolation to you.

"I see, in a late *Moniteur*, an account of a vessel of 500 tons, built entirely of 1½ inch plank, which appears to have succeeded. The article is worth your brother's attention.—I am, dear Sir, yours very truly."

BENTHAM TO SIR F. M. EDEN.

"Q. S. P., September 4, 1802.

"DEAR SIR,—Capping, like yawning, is contagious. To an author, *laudari a laudato viro*, is among the most

flattering of rewards. The Mons. Dumont you speak of, is our Stephen Dumont, Esq., of the Pells Office; like our Sir Francis D'Ivernois, a quondam citizen of Geneva,—he was a collaborator of Mirabeau's, an artificer of many of his glories, but one of the furthest men breathing from being a sharer in any of his stains. A man who counts so many friends among his acquaintances, or is so perfectly without an enemy, I had almost said, exists not anywhere. He is not only known to everybody at Paris, but a good deal known here; but though as alien to anything of party as your humble servant, so it has happened, chiefly among oppositionists. He has already a controversy upon his hands, I find, about I don't know what point, with the Abbé Morellet, (whom I reckon among my masters,) and another with Préfet Garnier, the new editor of Adam Smith. The man who is putting in puffs about it in the *Moniteur* is Tribune Gallois, who made the pacific oration on the peace: he was secretary under Talleyrand, when Talleyrand was minister there. Talleyrand wanted to have the thousand and one volumes all printed at once, and offered to bear the expense,—but this Dumont, I think very wisely, declined. He likewise wanted, before publication, to have it put into the hands of I know not who, who make a sort of a practice, if not a trade, of puffing. This was also declined,—but Gallois being a man in much estimation then, and a man who had taken a fancy to me in England, was not to be refused.

"What do you think of Spain taking off 300 copies? Thrice as many, I believe, as it was thought worth while to send to England. This was the number which, according to the calculation of the French bookseller, would find customers before the Inquisition would have time to fasten upon them.

"Portalis, hearing of some printed, but unpublished papers of mine, took a world of pains, in round-about ways, it being in war time, to get a copy of them for the purpose of his Code—that has been once thrown out, and is now to be regenerated, and sent me a copy of it before it was made public. Dumont

fancied he saw traces of my ideas in the arrangement of that Code—I, for my part, could see none. Portalis is no more able than a pig to make a Code with *reasons* to it. What mortal alive could be, who should take a Code to make by a particular day, as a tailor would a pair of breeches? Everything I have said about *reasons* being a libel upon his new Code, whatever it be—what I expect is—to see the book published ere long at Paris, notwithstanding the pains that Talleyrand, and I don't know what ministers besides, have taken to trumpet it.

“It adds a good lump to my stock of happiness to find that you look upon this motley English-French work as a manufactory of that article. It is certainly what I mean it for, though I scarce expected to see any finished goods come out from it in my lifetime. One thing, however, you have fallen somewhat short in—saying nothing about regeneration. A letter I received t'other day from a person of whom I know nothing but that he is a Genevan, tells me of his being '*rendu*,' not only *heureux*,' but '*regénéré par la lecture de mes ouvrages*.' If he is, as I take him to be, a Protestant Calvinist clergyman, he must have been once regenerated already—if, then, he is regenerated by me, he must have been re-regenerated; and if so, what sort of a state must he be in now? However, if he is but happy, as he says he is, it is not worth while scrutinizing minutely into mode and figure.

“As to translation, Romilly, in a tête-à-tête between us t'other day, was talking to me about his undertaking it. The proposition was an odd one enough, from a man broken down with business, and wearing the marks of his labours but too conspicuously in his face. To do him justice—I mean in point of sanity—it must have been rather in the way of *velléité* than volition; and at the earliest, he could not have looked for any earlier period than the next long vacation for the commencement of it. As to my procuring an English dress for it, it might have lain Frenchified, as long as it lay *naked*, which was from a dozen

years to twice as many, before I should have thought of taking any measures for such a procuration. How fortunate its lot, could this mass of law, by any *astutia* be construed to come under title Poor! Let us see. What act of charity more refined, than for one author, rich in reputation, to take in hand a poor brother of the trade, poor in everything—poor, more particularly, in that essential article—first of all necessities to an author—to take him by the hand, and clothe his nakedness? Shall it be said that charity, in this her most delicate shape, is a virtue peculiar to France? That charity, after beginning among strangers, cannot so much as end at home? Poor as I am, I have my pride—though thus a mendicant, I am no vagrant—and this, as it is my first act of mendicancy, and that extorted from me by the mere temptingness of the opportunity, will be the last. You should have, in the first place, a release of all prior claims, signed and sealed by Romilly. In the next place, all the odds and ends, the *disjecta membra poetæ* that Dumont had to work upon, and which he has returned to me; and as the ends would not be of your own 'gathering,' you might go to work boldly without apprehension of the statute. Your censorial care would give the translation whatever 'corrections' the original scraps might not suffice for giving to it.

“To your kind inquiries about Panopticon, all I can say is, I have a letter before me from Lord Pelham to a friend of mine, [Sir C. Bunbury] dated 17th August, 1802, which says 'at all events I will apply my mind to the subject, and endeavour to get something settled before the meeting of Parliament,'—not that Panopticon is much the nearer to its being set upon its legs. Your friend, Mr Vansittart, if experience be any ground of judgment, has now taken it in charge to prevent its being ever settled at that period or any other. In an answer to a letter of mine, written this time twelvemonth, viz. September 7, 1801, in which I say in humble strains: 'If, from any cause, it should have happened that you have not yet turned the matter in your thoughts, you will, at any rate, I

flatter myself, have the goodness to say something to me by which my expectations, in regard to time, may, in some measure, be directed.' In answer to this letter, in another dated 10th September, 1801, he says to me,—'I have not yet had an opportunity of consulting Lord Pelham, on whose decision the business must principally turn.' Mr Vansittart knowing perfectly well, not only from the act but from my reference to it, that whatever is to be done, must be done, not by Lord Pelham, but the Treasury. 'I will find out (says his Lordship in that same letter) what steps have been taken by the Treasury, before I send for his (Mr Bentham's) papers,' which, at his Lordship's desire, had been in his Lordship's hands for six weeks—so that nothing had been done at all. Judge from this, what is likely to be the fruit of his Lordship's expedition of discovery.

"The best part of my case is, that I have got them—a good parcel of mere ins and outs together—in a sort of a trap, called *Premunire*; Romilly—their oracle as well as mine—has not the smallest doubt of it. If, therefore, which is not absolutely impossible, you should ever see poor Panopticon rescued from the damnation to which it is doomed, be sure that it is not to any merits of its own, but to the saving grace of *Premunire*, that it stands indebted for the change.

"Many thanks for your obliging memorandum for my brother. I take in the *Moniteur*—Dumont and his works are well known to him; Marquis Ducrest, before the Revolution, Chancellor and factotum to the Duke of Orleans; a man of real ingenuity in that line, as well as in other branches of mechanics; ergo, he will be, as he has been, either neglected or ill-used."

SIR F. M. EDEN TO BENTHAM.

"Brighton, 8th September, 1802.

"MY DEAR SIR,—I think it is Lord Bacon who says (in his *Essays*) that we attempt some tasks, *con diligenza*; some *con studio*; and some *con amore*. I should bring with me the two latter if I were to enter the workshop of which you

so kindly offer me the keys; but various circumstances would prevent me from labouring in it *con diligenza*. Two or three undertakings have already mortgages upon my industry: it would take me at least six months reading, and twelve months writing to furnish a decent commentary on an author,—

Qui, quid sit pulchrum, quid turpe, quid utile quid non
Plenius ac melius Chrysippo et Crantore dicit.

and in truth, if I possess any of the *γνῶσις σπουδῶν*, I apprehend that I am not competent to perform the duties of a literary master of the ceremonies to your 'Legislation;' and to introduce it with a splendid train of comments, criticisms, illustrations, and additions to English readers. I have not *approfondi les choses* sufficiently to add my *fiat* to those of your opinions in which I should concur, or to attack those (if there be any) which I might disapprove. Your field, though it is an attractive part of the Champs Elysées, is too vast a one for me to cultivate. A very small part of it would employ my whole capital.

"But you must tell me 'metaphors are not reasons.' In plain English, then, I think I shall be fully employed from next November, in organizing a projected insurance office, to be called 'the Globe.*' You will, I am sure, be somewhat interested in its fate,† for it has been treated much like your Panopticon, which has some features of insurance. It was, on many accounts, important to obtain a (non-exclusive) charter, (which, I think, I could satisfy you, upon your own principles, tends rather to destroy than to create monopoly,) and with this view, I applied to the Treasury early in 1799 offering as a *bonus* to Government, that the proposed Company should lay out £300,000 in the land-tax. Mr Long, in his answer from the Treasury, informed me that my Lords Commissioners approved the plan, and were of opinion, that application should be made to Parliament, for an Act to empower his Majesty to grant the proposed charter. This was done, and an act obtained

* Sir Frederick became Director of this Company.

† See the author's remarks on this subject, above, p. 334.

that session. I conceived that the legislature having sanctioned the principles and plan, the law-officers had nothing to do but to dress our charter in legal flounces and furbelows; but, *des aliter visum*, Sir John Retford thought otherwise; he entered in questions of policy rather than of law, endeavoured to vary our land-tax contract, and ended his paragraphs of objections, with this *tol-drol-lol*:—impose personal responsibility and penalties on the Directors;—but this cannot be done without the further aid of Parliament. After dangling a year and half (like poor Cranmer in Shakespeare's *Henry the Eighth*) at the doors of the Council-office, '*midst pages and poursuivants*,' we obtained a reference back to the law-officers to consider the amendments we offered; and at length, about January or February last, the Attorney and Solicitor General reported that we had obviated all objections; '*but soft, by regular degrees, not yet*.' A meeting of the Privy-council for receiving this Report, is appointed for the 27th October. It was delayed six months, because the Chancellor was engaged with other business;—delayed till *he could attend*; and six weeks ago I learnt that he thought he *ought not to attend* in the Privy-council, because the charter would afterwards come before him as Chancellor. I almost incline to believe, we shall set to work without one of our tools—his Majesty's Great Seal. In your law work, you have led two children through a *Suit in Equity* for a plaything; you must have given them the life of antediluvians to carry them through the process of a charter. It is recorded on a sepulchral urn, in the front court of the Foundling Hospital, that the person who solicited their charter, was *thirty-nine* years about it. I remember reading this inscription one morning, when I was exercising with a volunteer corps to which I belonged; and I confess I immediately said within myself, '*Write me down an ass*,' for I too am a charter-hunter. The Bank, one of our opponents, have agreed to withdraw their *caveat*, on my consenting to strike out the most useful part of the plan: that for receiving deposits from the

industrious classes, (*a caisse d'economie*, much wanted in this country,) and that for enabling the Globe to become treasurers to Friendly Societies. As soon, however, as we revolve on our axis, I shall endeavour to arrange a scheme, distinct from an Insurance-office, for this purpose (for it will not want a charter; and I hope you may be tempted to co-operate, especially if it should be brought to coalesce with your Panopticon.)

"I have much more to say to you, but am interrupted, and must conclude. You will see by the inside of my frank, that I meant to have answered your letter yesterday, but an engagement at Rottingdean prevented me. I will render your work on Legislation any assistance in my power, by such remarks as may occur on a second, third, or fourth perusal (for *decies repetita placebit*;) but though I am the Atlas of a Microcosm, I am wholly unable to bear on my shoulders your magnum opus which includes 'the great globe and all which it inherits;' but I will write to you again on this subject.—I am, my dear Sir, yours very faithfully."

In a letter of Garnier, dated Versailles, 16th Vendémaire an. xi. (8th February, 1802,) to Bentham, he says:—

"It is impossible not to share your opinion as to the hardships of taxes on law proceedings. My self-love was highly gratified on finding that I had agreed with you in attacking Smith's opinion on this matter, and in declaring, as you have done, that it is a sovereign injustice to burthen with an impost those who are forced to plead; for it is they who share least of that general security for which tribunals are instituted, and who, far from being called on for an additional charge, ought to have a claim to an indemnity. I published this opinion in one of my notes on Adam Smith, before I had read yours, and you will allow me to be proud of the unanimity.

* * * * *

"Your person and your writings are equally attractive to us. Each recommends the other; but you will not let us sufficiently know them. You show

yourself for an instant, and then disappear."

Bentham paid a short visit to Paris at the end of 1802. He dined with many distinguished Frenchmen at the Société des Arts—Fontanes was in the chair. Bentham thought him very servile and very shallow. Among the guests was Gregoire, who told him he (B.) was to be made a member of the Institute, but he was supplanted by Charles Fox. There was also the Count de Lauvaquais, afterwards Duke of Brancas, who had been in England in 1775, or thereabout. He was a man of a singularly fine person, and wrote a memoir of a very pungent character, entitled "*Memoire par moi pour moi contre*—" It was full of eccentric phraseology; and when Bentham reminded him of a passage—"*Ceux que sont sollicités pour être sollicités en retour penseront comme le sollicitateur Blackstone*," he was vastly pleased. Bentham at this time renewed his acquaintance with the Duke de Liancourt and his son, who had been serving with the Duke of York in the Netherlands, and had all the habits of an Englishman. "He told me," said Bentham, "that the duke was habitually drunk after dinner, and that the disasters of the army were solely owing to having him for a commander. So are millions of men sacrificed to gratify the pride of one!"

BENTHAM TO DUMONT.

"Paris, 19th October, 1802.

"The Woronzoffs being now omnipotent at Petersburg, and my brother being in good odour with them, the occasion seems not altogether an unfavourable one for *Dumont Principes*. The misfortune is, that, (as I understood at the time,) from the time of the appearance of '*Judicial Establishment*,' I have been looked upon as a Jacobin by the Woronzoff here, through the good offices of my dear friend, Lord Grenville. The occasion was,—the adoption I then looked upon as necessary to make (though even against the grain, and even declaredly so, as you may recollect) of the principle of popular election as applied to Judges. Never having thought it worth

while to commission my brother to remove that prejudice, the matter has rested. Four times (I understand) has our Woronzoff refused being principal minister *there*; but his brother, Alexander, (I see by the papers) is minister there for foreign affairs; three or four times a-week he has been dining at the Emperor's. Lord St Helens, you know, is returned; I have not seen him, because now, as before, I see nobody; but my brother has, and he talked much about wishes to see me. Two copies of '*Dumont Principes*,' unfortunately enough, did not reach Petersburg till he had left it.

"You may dismiss your apprehensions about Sir Fred. Eden. He did not really mean what I had suspected; and by another letter, he has entered into a long and confidential discussion of the circumstances that would prevent his finding time for it. Garnier,—did he receive my Colony Emancipation pamphlet, that I sent him by Romilly?—you never mentioned anything about it, in what you reported of your conversations. I am inclined to suspect he shies the subject; either on account of Buonaparte's passion for colonies, or because he does not want to be known to have borrowed from it.

"If you happen to meet Cuvier, dun him, pray, for two sorts of seeds he spontaneously undertook to get for me.

"My ear-ache left me at Liancourt; my deafness, I don't know where it left me, or whether it has quite left me.

This is the 19th October, and no tidings yet of the Romillys,—I wrote to them from Dover. I read through Morellet's observations on the journey: poor Morellet! how easy to answer, but to what use?"

The pamphlet which Bentham had prepared on the subject of the injustice done him by the Duke of Portland's ministry, in the matter of Panopticon, he sent to Romilly for his opinion, which elicited this letter:—

ROMILLY TO BENTHAM.

"November 1, 1802.

"DEAR BENTHAM,—I have received

your papers, and I see no objection to any part of them, but their violence, and the very strong expressions that are used in them. *On affoiblit tout ce qu'on exagere*; and I really think there is exaggeration in what you say of the Duke of Portland. I think it is hardly possible that he could have understood the Act of Parliament as he says he understood it; but yet I do not think that it is a case to talk of a conspiracy formed to assume a legislative power, &c. One would be more anxious, I think, to avoid using too strong expressions in a case in which one is personally concerned than in any other, especially where one is complaining, in the transaction injurious to one's self, not of that injury, but of an outrage on the public. That the pamphlet is, in point of law, a libel on the duke, and the more a libel for being true, cannot, I think, be doubted.

"You don't ask my opinion upon the expediency of such a kind of publication; and, without knowing more of what has passed between you and the present ministers, it is impossible to judge of it,—but I should suppose that ministers were a kind of beings whom such a publication was likely to render implacable.—Yours ever."

This friendly advice Bentham determined to follow, and thus acknowledged it:—

"2d November, 1802.

"DEAR ROMILLY, — A thousand thanks for your kind anxieties, and the despatch (under circumstances such as yours) and good advice which was the consequence of them. The proof of the conspiracy,—sufficient or insufficient,—is in the part you have not seen: together with a parcel of precedents, or what at least appeared to me such, for the reasons there given. As to the violence, it would cost me nothing but the trouble of correction to give that up: but the question is, whether the substance could or could not be published safely, when purged from the violence. It was not my intention to have published this, but in the case of the flinging away the scabbard. The putting it into your

hands at present was a sudden thought. It might have been better if I had not sent one-half till the other half had been in readiness to accompany it: but by a sort of mechanical movement, I put my hand forth to lay hold of you before the Philistines came upon you. The word *libel*, from your pen, alarms me into a further communication, from which I thought to have saved you. I mean the pamphlet I showed you the first sheets of, and which I thought to have sent to the judges, and some of the ministers, without further castration or deliberation; but now I shall stop the distribution of it till you either tell me whether there are any objectionable passages, (there cannot be many,) or tell me that you have no time to look at it. If so, I must take my chance for seeing the inside of the King's Bench, for I cannot delay it many days longer, without much prejudice to the object of it. If there are any passages which you think it material to alter or omit, that may be done by reprinting as much as is necessary.—Yours, &c."

Bentham sent to Sir Thomas Trowbridge at the Admiralty, the following remarks on the Chancellor's speech on the Navy Bill, and the letter was also printed in the *Times* of 24th November. 1802:—

BENTHAM TO SIR THOMAS TROWBRIDGE.

"On the occasion of the Navy Abuse Bill, I observe questions among the gentlemen of the Long Robe, on the subject of one of the clauses, which they say is a very cruel one, because the tendency of it is to make a man criminate himself.

"Their tenderness has suggested to me the following queries, to which it would be a great satisfaction to my mind if any such gentlemen, or any other, would have the goodness to furnish me with an answer.

"The Lord Chancellor hears causes every day, in the course of which a man is compelled, by his Lordship's authority, to disclose facts, the effect of which is to deprive him of the whole of his estate; of the whole, at least, of that which,

without impeachment of his probity, he has always looked upon as his. Query—How much greater is the hardship of being made, by the same means, to give such part of the estate a man calls his own, as he has acquired by a fraud upon the public, than that of giving up the whole of what a man possesses without fraud?

“Was there ever an instance, since the beginning of time, in which this rule was of any the smallest use to a man that was not guilty? Is it in the nature of things that it ever should be? A man who feels himself innocent—is he not anxious, on every occasion, as he values his character, to receive the benefit of it?

“Wherein consists the humanity of letting go the guilty, that thus they may keep on triumphing in guilt, preying upon the public, and injuring the innocent?

“Could any mortal alive ever find anything else to say in favour of this rule of common law—a rule, observed in some instances, and not observed in others—than that of its being established?

“Is there anything that should prevent the Legislature from suspending or even repealing *in toto*, if they should see cause, a rule that, when first laid down, was laid, God knows when, by God knows who, and for no reason that has ever been assigned by anybody?

“If it be so good a thing that a man should not be compelled or allowed to criminate himself, would it not be a still better thing, if nobody else were ever to be made to criminate him? A man’s passion for bearing false witness against himself, is it so violent that it would be dangerous to allow him the means of gratifying it?

BENTHAM TO DAVID COLLINS.*

“Q. S. P., 5th April, 1803.

“MY DEAR SIR,—I accept, as an eligible succedaneum, the kind token of

your remembrance. I have never been fond of leave-taking. Between persons wholly indifferent, it is, to me at least, a burthensome operation; and in the present instance it would have been a painful one. A few years hence, however, (I hope, at least, they will be but few,) I shall not be to be put off so easily: I mean when you return to us in all the glory of triumphant colonization, laden with the spoils of the insulated continent—*kangaroo* and *wombat skins*. I wish heartily, for the benefit of our amusements, that Fourcroy and you, Frenchman as he is—and some say none of the honestest neither—may become intimate:—we may by that means be indebted to you for a new metal or two, or a new earth, to which I hope you will give your name, and become immortalized by a double title—in the annals of science as well as politics. In that I can wish you better fortune than fell to the share of poor Lord Sydney. He gave his name to what was taken for a new earth, but proved to be an old compound, and vanished into smoke. You will, at least, (I hope,) treat us with another ‘*paradox*,’ to match with the *Ornithorhynchus*: if fit for the pot or the spit, so much the better: beggars must not be choosers; but if wishes had the property of contributing to success, I would wish for some agreeable, as well as curious compound, in that way—something between fish, flesh, fowl, and good red-herring; or for a tid-bit—I speak for your own benefit, not for ours—as handmaids do not promise to be very plenty with you, what say you to a Mermaid? Such things have been found—here and there one—or there is no truth in history: and if she should be well proportioned and well conditioned from the tail upwards, a use might be found for her (I should think) on the spot; but that point I beg leave to refer to your superior judgment. As to her tail, it would be as good as kangaroo’s, with the help of a little lobster or oyster sauce; and her own fair hands might serve it upon table. Since I had the pleasure of seeing you, (I think it is,) that a systematic book on Chemistry has made its appearance, by a British writer, a Dr Thomson, lecturer

* David Collins, Judge-Advocate of New South Wales. The letter was accompanied by a copy of the “Plea for the Constitution,” (Works, vol. iv. p. 249 *et seq.*) in which, and the author’s other works on Transportation, Collins’ account of New South Wales is amply quoted.

in Edinburgh, 4 vols. in 8vo. I, who see nothing nor anybody, have not seen it yet; but I hear everybody speaking well of it. What I have seen of his, is a very good paper on combustion in Nicholson and Tilloch. Constantinople made Baron du Tott, (whose fair daughter I had the honour of saluting t'other day at Liancourt, in her character of wife to the eldest son of the *ci-devant Duc*,)—Constantinople, with the help of the Encyclopedia, converted that soldier into an engraver and cannon-founder. Why should not Van Diemen's Land, or the next to it, convert Colonel Collins into a Chemist, a Mineralogist, a Botanist?

"Apropos of Botany, there is a certain promise—the more obliging as it was spontaneous and repeated—which I treasure up with the greatest care. I have quite committed myself upon the strength of it: having gone so far as to carve out of it sub-promises. One new *frost country* plant is worth a dozen tropical ones. I shall be saddled with actions if you fail me. Remember, therefore, that you and I are lawyers: and that with us lawyers the breach of a *pact*, though it be a naked one, is no joke.

"Apropos of law again, I send you, as the last token of *my* remembrance—a squib in my way—which will show you the gunpowder you are treading upon. If you feel bold enough to continue in your command after looking at it, you will at least feel it prudent to insure your life in some good office. The poor Attorney-general has been sadly 'shocked' (I find) by the title; but having at that time got no farther as yet than the preface, he confessed to a friend of mine, that what is there said of him—fact, law, and everything—is true. Your candour, with which I am so well acquainted, will acquit me of incendiarism: you will remember that it is to you I present the squib, not to any of your crew.

"As to prisons, your time for thinking seriously of them is not yet come: if it had been, you would not, in alluding to the Panopticon construction, have taken circularity for the characteristic principle of it. Position not form: cen-

trality of the keeper's lodge, with a commanding view of every part of the space into which a prisoner can introduce himself (by the help of peep-holes, blinds, or any other contrivance which will enable the keepers to see upon occasion without being seen,) such is the real characteristic principle. As for the circular form, the execution of it even *here* is attended with difficulties, which in general operate so as to increase the expense. In *your* situation—with your limited resources—I should expect to find these difficulties insurmountable. *Logs*, I should suppose, would be your materials, at least in the first instance: logs you are sure of: bricks depend (under Providence) upon lime-stone, lime-kilns, brick-kilns, and brick-makers. Logs grow in strait lines, or thereabouts: not in circular portions of the circumference of your circles. Your circle, if of logs, would, at any rate, be a *polygon*, if it were not a *square*. But why should it not be a square? If you have an open yard, as I suppose you will, the boundary wall may be composed of the four sides of another square, concentric with, and therefore including, the two others. The walls of the building, exterior as well as interior, being made as transparent (with windows) as possible; the yard will be inspected through the prisoners' apartments from the lodge. The more perfect the application made of the characteristic principle, the less the quantity of strength that will be necessary (both of eyes and hands) in the lodge. *Dixi*: God send you (and not your prisoners) a good deliverance!

"P.S.—What I acknowledge to be—not a promise on your part—but a mere petition on mine—is the privilege of being numbered with the select, who are to receive the earliest communication of your *res gestæ*. Not having so much as the pretence of a promise to anchor upon, I am here all humility; but, in proportion to my humility, importunate. Your history cannot go into any hands (female always excepted) that would take a warmer interest in it. This, I trust, you see no difficulty to recognise through the fiercest of the war I am waging against you, in your

capacity of colonizer and governor. W. and I are like the lion and Signor Nicolina, who slew him in the *Spectator*, smoking our pipes together very socially behind the scenes. Better for your humble servant would it be if your noble and Right Honourable &c. principals, were as placable, or rather as unpro-

vokable : but they have not wit for it. Adieu, my paper is out, and your patience.

“J. B.

“P.S.—Seeds are seeds : and from Van Diemen’s Land, &c., all will have their value, separate or in a pudding : with or without names.”

CHAPTER XV.

1803—7. Æt. 54—59.

Intercourse and Correspondence with Dr Parr.—Horne Tooke.—Dumont in Russia, and the Progress of Bentham’s Opinions there.—Mr Mulford.—Pole Carew.—George III. and Bishop Hurd.—Death of Lord Lansdowne.—Proffer of Marriage by Bentham.—Romilly in Scotland.—William Hutton.—Reform of the Scottish Courts.—Residence at Barrow Green.

BENTHAM’S habits were always to keep himself aloof from society. He did not form a part of the ordinary current. He frequently denied himself to visitors who conceived themselves entitled to a welcome. The two letters which follow are curious,—the first exhibiting a management of Bentham to get Dr Parr to his house,—the second, a plot of Romilly to get Bentham to his table to meet Dr Parr.

BENTHAM TO DUMONT.

“26th January, 1803.

“MY DEAR DUMONT,—I left unfinished at Romilly’s a project I had for a renewal of acquaintance with Dr Parr. Romilly mentioned, in your hearing I believe, Mackintosh’s and Robert Smith’s as the two houses at which he is to be heard of. Both those citizens you will probably meet on Saturday ; the danger is, lest by that time the bird should have flown. If, with your talents for intrigue, you could get the reverend luminary of learning and the church to condescend to partake of a *tête-à-tête* dinner at my hermitage, you would entitle yourself to my thanks. I don’t want any such third person as — ; in short, I don’t want to have my talk polluted with Frenchmen or infidels. I want the irrefragable Doctor all to myself. But, seriously, I have a very particular

wish to see the Doctor in that way before he leaves town,—which reason I will explain to you when we meet ; and, in the meantime, you will much oblige me, by not mentioning to anybody alive any more of my desire to see him, than what may be absolutely necessary for the gratification of it. You understood, I suppose, from Romilly, that the Doctor had made many attempts to see me at different times, and that Romilly kept him off by main force.”

ROMILLY TO BENTHAM.

“13th February, 1803.

“DEAR BENTHAM,—I wish you would dine with me on Tuesday next at five o’clock, and meet your profound admirer and universal panegyrist, Dr Parr. He is so earnest and so eager in his praise of you to all the world, that you should think nothing of the inconvenience of being involved for a few hours in thick clouds of tobacco. The first thing he said to me the other day when I met him in the street was, that he hoped I was a Panoptician ; and the second, that he had had a long conversation about you with Charles Fox ; so that you may see that he has formed a party for you—has given it a name,—and is canvassing for the ablest recruits to it. Dumont will dine with us, and only two or three other persons ; but neither

Trail nor Wilson, who, though they may be Panopticians, are certainly not Parrists. Yours ever."

In the following short communication, Dr Parr gives expression to his feelings of partiality, and urges the introduction to Fox, which, as already stated, (p. 62,) was always declined:—

DR SAMUEL PARR TO BENTHAM.

"February 8, 1803.

(Extract.)

"MY WISE AND WORTHY FRIEND,—You ran away from me rather abruptly when I went to your door with Mr Fox. I presented to him your books, and I am sure that you would not have been sorry to hear what passed between him and myself about your mighty talents, your profound researches, your important discoveries, your irresistible arguments, your honest intentions, and most meritorious services.—God bless you."

Speaking of Horne Tooke, in relation to this period, Bentham said: "Horne Tooke had a narrow mind. His library was narrow. A man may be judged of by his library. He was of great use to Burdett. He gave him some degree of intellectuality. Burdett always travelled with some stuff of mine—but I could not get him to give up the common law. He thought it 'a beautiful theory,' and Lord Coke 'a beautiful person.' What a sad thing it is that imaginary law should be confounded with real law. What authority has the maker of the common law?"

"Horne Tooke's dinners were picnic dinners. Every man sent something, and more than he took. Among the eaters, Colonel Bosville was a Republican. Humphreys was admitted on the strength of a *bon mot*."

Extract of a letter from

BENTHAM TO J. MULFORD.*

"31st May, 1803.

"Bread is not only the staff of life, but, to me, the greatest of all luxuries, passing turtle and venison. Having given up wine, and my countenance, instead of the less cheerful, being all the

cheerfuller for it, have I not a right to have the best, if I can get it? always meaning honestly, of course. Perhaps, my dear Doctor, your doctorship could help me. What I mean by the best bread is, the sort of bread they make at farm-houses, such as they used to make at Browning Hill, for example.

"A friend of mine, who bought an estate about five or six years ago, somewhere on the borders of Bagshot Heath, not far from Blackwater, I believe, but has since parted with it, used to have a loaf or two sent him now and then from a servant or tenant there, and two or three times made me a present of one: it was exactly of the right sort,—just like Browning Hill bread, which certainly had no alum in it, nor so much salt as the London bread, nor was quite so much fermented, I believe; and when it happened to be a little sweetish, from the flour being grown, I liked it all the better. Among your doctorship's *protégés* about the country, might not some bread-baking good soul peradventure be found, who, for a moderate profit, would be glad, or at least content, to make a loaf or two extra, and send them to me about once in three weeks? I don't care how stale it is; but longer than that I think it will hardly keep without being mouldy. About three-fourths of a pound, or one pound a-day, would be sufficient.

"Here endeth the dissertation on bread from your ever grateful and affectionate coz."

Mulford writes, that he cannot undertake the commission from the difficulties of the subject, but will cheerfully provide Bentham with the "Bread of Life."

Dr Parr, in one of the worst specimens of his execrably bad handwriting, (June 1st, 1803,) begins:—

DR PARR TO BENTHAM.

"DEAR SIR,—I read your letter with great difficulty; but, I thank you for sending it, for it was lively, acute, and interesting. I shall have next week an amanuensis in Leicestershire, and will dictate such an answer as you may read. I will send, too, the Philippic: I shall enclose it to Mr Adam; and our enlightened

* As to Bentham's connexion with the Mulfords, see above, p. 22.

friend Mr Koe* will call for it, according to directions you will receive in a week or ten days. I shall pass through Coventry on Monday, and will make some inquiries. I will write to a friend at Birmingham: my neighbourhood supplies neither males, nor females, for the purposes you mention. I have been extremely ill: my recovery is very incomplete, and indeed doubtful. Remember your promise to be here in the summer: come in August. My best compliments to Mr Koe. I can hardly hold the pen; but I will summon strength enough to assure you, dear Sir, that I am with great and unfeigned respect and regard, your friend and obedient servant.

"P.S.—I told you, I think, that I had not had time to read your book entirely, and with the serious and serene attention due to it. Alas, I now can hardly distinguish sense from nonsense. I am forbidden to read, or to write."

DUMONT IN PETERSBURG.

Dumont went to Petersburg in 1803. From the curious memoranda which he sent to Bentham, I make a few extracts. The date is October, 1802. The memoranda are partly English and partly French.

"Czarskozeło, formerly gilt, but now all gone—all stolen—gilt over-thick: the Jews offered 100,000 rubles for the gold left—in imitation of Nero's Palace—interior Asiatic luxury—a *chambre garnie d'ambre*—everything in amber—lined with amber in squares—ranged in regular order—another in opaque glass—large columns of glass supporting the ceiling round—a cabinet—beautiful Flemish tables—a bridge upon the antique plan—a large piece of water appears to change its form according to the position of the spectator—the effect produced on account of two islands—beautiful islands—German colonists prosperous—prices quadrupled at Peters:—Pavlovsky residence of Paul—Legumes fallen in price—Choux fleurs fallen in price—German colonists depress prices—Pavlovsky upon an eminence—ground trenched about—not so large as Czarskozeło—elevation, 60 feet. Storch's work in

10 vols: 2 vols. in French. He obtained of Paul permission to procure all the documents he required—Answers to Catherine's questions, 20 vols. in folio—Russ. population, 40,000,000—Crown peasants pay four rubles, *et sont quittes de tout*—Peasants registered—Paul gave freedom to peasants: they said they belonged to the empire and not to the emperor—this they understood—they were bayonnetted and knouted—they acquired fortunes, and by this means lost them—Paul gave peasants to *la dernière canaille*—Paul gave peasants, sometimes to all the valets, sometimes to the *secrétaires*—Paul gave D. of W. an equivalent instead of peasants.

"Académie of Sciences, best built buildings in Petersburg—Cherries eight rubles per 100—Mujiks present at the Academy of Sciences—Presentation to the Empress—Dr Rogerson, there—Great Duchess of Mecklenburg.

"Madam Demidoff—great with Paul—disgraced—afterwards great with Empress—Paul had a daughter, *par une blanchisseuse*—Mademoiselle D. put to take care of her.

"Imperatrice much *louée*—she hid herself two days in the palace—suffered great inquietudes under Paul—1000 rubles spent by Russ. Marchands at their entertainments—French principally artists—Foreigners have no idea of permanently settling at Petersburg.

"Ministres adjoints no power—Divisions of departments ill-arranged—*beaucoup de questions de compétence*—everything passes through the hands of the Minister of the Interior.

"Speranski profited by Dumont: Principles—eulogizes it—*d'une utilité prompte*—tenth part of Petersburg in *edifices publiques*—police divided into ten parties—spies numerous; among them a Swede *et deux Suisses*—churches filled with saints of burlesque appearance—Russ docile—attached *à la maison Impériale*—conspirations always commence among the nobles.

"*Speranski ne croyait pas à la possibilité d'établir la Politique en Russie. Point de bon traducteur en langue Russe*—tutor expensive—two rubles per lesson—autres, five or seven. No chemists in

* Mr John Herbert Koe of Lincoln's Inn, who then acted as Bentham's amanuensis.

Peters: Garnerin ascension drew few people. A. was presented to the Emp: and Empress, to let off. Madame G. *filie publique de Paris—la femme qui aura le courage de monter au ciel sera, &c.*—Madame G. talked familiarly with the Emp: and Emp^r—(*Bons mots de Constantin.*) Thirty thousand at a masquerade—four horses for a day thirty rubles during the masq:—do not cost so much for a month, in ordinary times. Conversation on a projected journal—*Mercure de Frankfort—le meilleur modèle—Karamsin's Journal*—three to four thousand subscribers—40,000,000 *habitans par dernier census*—Princesse de Georgia brought à Peters: *pour avoir assassiné un officier.*—Ac. des Sci. much neglected—no professor *pour montrer—point d'éleve.*—T., professor at Dorpat, brought to the emperor *un collier garni de fer*—formerly in use, but not now.

“Bee: Secretary to Paoli—honest—amassed no money—neglected at present—employed under Speranski. M. Duval gave Recque the book—he said the best book he ever read—a puffer of it—bookseller at Peters:—got the book very early—six weeks after it was published.—Punishment of a *Marchand Etranger* employed in a characteristic punishment *pour quelque friponnerie.*”

“Cronstadt une ville immense, with about 15,000 inhabitants—no carriages—passport lost.—Russian measure of value—number of peasants—*Le revenu de l'état est 100 millions*—paper money about 200 millions. Produce of Custom-houses eight or nine millions—saving under Alexander, of *Depenses du Cabinet*, six hundred millions rubles. Paul gave 800,000 peasants, which had been affranchised.

“Corps of cadets costs 235 thousand rubles.

“Corps of noble young ladies costs 200 thousand rubles.

“Corps of pages costs 150 thousand rubles.

“I have heard that the Jesuit Grouber, then established at Moghilev, and the remarkable men of his order, had contributed to the defeat of the ambassador, Lord St H. On the first news

of the project, he wrote to the Empress Catherine, that he had relations with the Jesuits of Pekin, and that if her Majesty had orders to give, he would communicate them to that country. His services were accepted, and he directed his colleagues to employ all their influence to counteract the English, and to represent them as ambitious people, always preparing, by conquests, to establish commercial comptoirs.

“The Empress has erected villages into towns, which confers freedom on the population. Paul reconstituted them again into villages; he did this with more than a hundred, and they became, in consequence, slaves of the Crown.

“Nothing easier than to obtain 18 per cent. for money on land. This is a resource for foreigners; but they cannot become proprietors; and so it must be, because what is sold is not lands but men.”

Dumont writes to Romilly from Petersburg, on 10th June, a letter from which a translated extract follows:—

DUMONT TO ROMILLY.

(Translation.)

“Could you have believed that as many copies of my *Bentham* would have been sold in Petersburg as in London?

“A hundred copies have been disposed of in a very short time, and the booksellers are asking for a new supply. This has obtained for me a welcome from many persons, which I am turning to account. The work is admired, and the editor modestly takes his part of the admiration. But what has most surprised me, is the impression made by the definitions, classifications, and method, and by the absence of those declamations which had been so wearying to sound intellect.

“We have here a Livonian, M. de Rosenkammff, long the President of a Tribunal of Justice at Dorpat, and now employed, without a title, to collect all the ukases, that is to say, all the laws of the empire—to arrange them—to separate all that is incoherent or contradictory, and to prepare tables which he successively places before the emperor, for the emperor is in the habit of working on synoptical tables. This M. R., who is a great admirer of Bentham, with

whom he was closeted for fifteen days in the country, hastened to see me on my arrival, and we have had many conversations together. He is somewhat superficial,—but he has information, and I think he might manage tolerably well the *redaction* with which he is charged, if he had the courage to make some sacrifice of self-love; the evil is, he is afraid of being called a plagiarist in employing clarification which he did not invent. *Vide meliora proboque deteriora sequor*. There is a bureau of Legislation, and a great Signor at its head. It is from thence that ideas come—it is much if they arrive then.

“I do not know if you have met with M. Navasiliof in England. He was a friend of General Bentham. He enjoys the highest credit with the emperor, and a general public esteem. I had the pleasure of partaking of a very interesting dinner at his house. I met there Prince Adam Czartoriski, whom I had known at Bowood, where he had spent many days, and the young Count Strogonoff, whom I had also known at Geneva. One is minister (*en second*) for the interior, and the other for the exterior,—but these two seconds are in reality the firsts, as they enjoy intimate familiarity with the emperor. I cannot estimate them in matters with which I am unacquainted,—but *this* I know, that it would be difficult to find men occupying so high a position with so much simplicity, and so much instruction as they exhibit in miscellaneous conversation. They are now much occupied with their project of public instruction; a report is to be made in the form of a journal, to be published from time to time, when an account will be given of the various establishments, so that one may be compared with another, and the progress of each exhibited. This publicity—which is here a new idea—will do more for their success than any positive laws. It is to be hoped it will extend to other branches of the administration, and especially to procedure—for it is the tribunals which want it most,—but the organization must be reformed before it can be submitted to the public eye. If you knew what an advocate—or a

man of law—is here, you would blush for the honour of the profession! I will speak of it in detail by and by. And the judges! In England you could have no notion of the state of things. I am persuaded that in ten years all will be much changed. This is one of the enjoyments that my journey to Russia has procured me. I know none greater than to watch a tranquil and wise progression in improvements of every sort.

“And since I have spoken of the emperor, let me tell you what will interest you more than any descriptions of the external splendour of the capital. I cannot mention the Prince without an emotion of pleasure. I shall not speak of the language of his admirers, or of those who approach the nearest to him. He is best praised by those who suppose they are censuring him,—now for his gentleness, ‘which pushes him too far’—now for his goodness, ‘which falls into extremes’—now for his economy, ‘which is opposed to the habits of the court,’ or ‘lowers the external majesty of the empire.’ I have heard no detraction more violent than this; and when facts are inquired into, I can discover none which show any excess in these two virtues. He has succeeded to a government, suspicious, arbitrary, and rigid, to say no more; to a government, prodigal without measure; luxurious,—and undermining its own foundations, to support its luxuriousness. The change, no doubt, has been somewhat abrupt; and you can fancy to what class of men these demi-censors and these demi-approvers belong,—for, after all, the censure is a half-approval. At first, there was an apprehension of too rapid a tendency towards emancipation, or liberation—a rapidity incompatible with the existing state of things—the springs of government too much loosened, after having been too much tightened: but now men see that the emperor is both prudent and patient,—that he both prepares and matures his plans. I will give you more detailed accounts of what is proposed to be done for public education, and for the editing of a General Code. I am able to obtain information as to the confederacies against improvement. But,

in a word, there is no government more essentially well-disposed,—more occupied with the public weal, than this. It is not mere fireworks,—it is not a newspaper glory: if anything is wanting, it is the instruments for doing the good they are desirous to do. Men must be *déterré*, or created; and here is the true difficulty. It seems astonishing, at the first glance, that there should be so many establishments for public instruction, and so few instructed. In all the departments, it is necessary to employ strangers, which is a great evil,—but it is an inevitable evil.”

The letter which follows is endorsed by Bentham,—“1803, August. Dumont, Petersburg, to Romilly, London. Speranski's disposition to apply to J. B. about Codification. Dissatisfied with Mackintosh's answers to queries thereanent. Emp. Paul's freaks. Other Russ. anecdotes:”

(Translation.)

“I passed an evening with Speranski.* We were alone. He loves his country, and feels strongly that the reform of justice and of legislation is of all goods the chiefest good. They had addressed themselves to German jurists,—to an Englishman, (Mackintosh,) and were not satisfied with their correspondence. They were ignorant of their country, and in most of their writings there was nothing but old routine and Roman law. But since they have got hold of Bentham, they think they can brave all the others, and it is almost decided that he shall be directly consulted. I have been vaguely asked if I were willing to settle in Russia. I am quite decided upon this point; but I have told them, that if they addressed themselves to Bentham, he would probably occupy himself with the Civil Code; and if specific questions were sent to him, informing him of the local circumstances, he would answer. They seem to me disposed to enter into correspondence, and to make some arrangement with him. But I do not know what will come to pass.

* He was the Governor of Siberia, and an intimate friend of Sir Samuel Bentham.

“Puget, the tutor of the young Grand Dukes, was suddenly exiled 5000 versts into Siberia, at a time that he had not the least doubt of his security. He had but one hour's notice to depart. He was ill-treated by the *Courrier du Cabinet*, the weather was very bad,—and he was compelled to travel day and night, though in an open carriage. The courier, by way of consolation, told him he would probably receive the knout when arrived at his journey's end. What was most alarming, was the uncertainty of his fate, for he was himself the bearer of the order specially addressed to the governor of the place to which he was sent. P. resigned himself to his fate; but what gave him the greatest pain, was the apprehension of the knout. Arrived at his destination, after travelling six weeks, he found himself in a fort, in the governor's house, who received him with humanity; and, upon being asked, gave him wherewithal to eat and drink, and asked him, ‘What and who he was?’ ‘A Swiss.’ ‘In what service?’ ‘The Emperor's.’ ‘I do not recollect having seen you at the palace. At what door were you?’ ‘I was at no door.’ ‘But did not you tell me that you were a Swiss?’ ‘I am a Swiss by birth, but not by profession.’ And both of them enjoyed the equivoque. ‘What did you, then?’ ‘I had the honour of being tutor to the young dukes.’ ‘Oh, the devil! sit you down, then, my good Sir. I will now read his majesty's order.’ He broke the seal, and examined it attentively: Puget did not remain long in suspense. The order was contained in ten words:—‘Receive the Swiss, Puget, courteously, and watch his correspondence carefully.’ Immediately the commander invited him to dinner, made him offers of service: he proposed to him to choose his apartment; and *le Courrier du Cabinet*, witness of all this without comprehending what was said, the conversation being in French, threw himself at the feet of Puget to beg pardon, and exhibited a thousand and a thousand meannesses. Puget said he would not prefer any complaint against him, and exhorted him to behave with greater humanity in the event of his having

other unfortunates to accompany. After dinner, the governor of the fort went to consult the governor of the city, and to communicate to him the singular order of the emperor. If this man is guilty, said he, how happens it that the emperor orders us to receive him with courtesy: and, if innocent, why does he exile him? You may be certain, said he, that it is a spy whom they send under the name of a prisoner; and when he has made himself acquainted with everything, he will be summoned back again.

"Puget availed himself of this disposition of the commandant and the governor, who treated him with distinction, and left him all possible liberty.

"After a two months' residence here, he actually received an order of recall: his innocence was established. Paul had suspected him of keeping up a correspondence with De la Harpe in Switzerland; but, on his return, he received many marks of favour and liberality. He was appointed, shortly after, tutor to the Grand Duke: this proves, at least, that these are not days in which it is thought necessary to find an Aristotle or a D'Alembert to instruct those who are to govern empires. This man is a good fellow, who understands orthography: but I cannot say so much of him as to the French language.

"I have seen M. Parrot, Professor of Law at the University of Dorpat. During the passage of the emperor, he congratulated him, among other things, on the dispositions he had shown to relieve that great portion of his people, (*the Livonian*), who had been hitherto forgotten. I find that, on his journey to Petersburg, he brought to the emperor one of those collars with iron points, which a Livonian proprietor had made for one of his peasants. The enemies of Parrot told the emperor that these collars were formerly employed, but had ceased to be for a long time; and that it was a calumny against the nobility of the country to produce instruments covered with dust. But Parrot persisted that the collar was new, and he has been able to produce the smith who made it."

The following are loose memoranda of Dumont:—

"A tax of 5 per cent. upon enfranchisement.—Roz enfranchised 600 peasants, and the emperor thanked him by a letter in the *Gazette*,—this is said to be a prank to oblige the lords to allow, for a certain sum, every peasant to purchase his liberty.—Strogonoff immensely in debt,—generally beloved,—immense territories in Siberia,—badly looked on by Paul,—disgraced by Paul,—abandoned by everybody,—shammed ill, and excited the pity of Paul, and was restored to favour.—72,000 and odd ukases, mostly repetitions.—Laws renewed at the commencement of each reign.—No private libraries.—Russian artists despised by Russians.—Engravers despised in Russia as in England.—No chemists,—disburse 2,000,000 rubles to establish colleges.—Biberodko—Gallery of pictures rich,—difficult to procure admission,—his father, under-secretary to Cath.,—became immensely rich.

"Paper-money 200,000,000. Half in Pets. Letters of exchange confined to Moscow and Petersburg. Want of paper.—Nobles ruined by not visiting their estates,—by visiting they might quadruple their revenue,—they might be made to yield 18 per cent.—Paul gave 1,800,000 peasants.—Crown peasants treated but indifferently. Emp. not suffer to make proselytes to Catholicism by priests.—Grouber prevented the success of Lord M.'s [Macartney's] embassy, by means of his intrigues with the Jesuits,—told them English never establish a factory but to convert it into a fortress.—Under Paul, better soldiers and officers,—better justice,—duties better fulfilled.—Under Catherine *trop de douceur*. P. never examined, never heard, but punished.—Revolution Française, alarmed Catherine, and made an impression on Paul, and caused his severities. P. walked alone in the street,—he observed the hats, cravats, &c., and if he found anything wrong they were sent to prison and examined.—An Englishman met the emperor,—hat on,—he was well mounted,—galloped away,—was followed by the emperor, and escaped.—Proclamation for apprehension,—got into a friend's house,—great rewards,—ultimately escaped. People were like statues upon

the appearance of Paul.—This was to prevent crowds round him.—No mobs.—Polite enough to invite ladies to remain in their carriages.—If they did not,—coachman beat,—master sent to prison.—Round hats avoided,—attributed first to Police,—afterwards found to be Paul's whim.—At first more ridicule than rigour.—No interval between suspicion and exile.—He shed no blood.—He did not conceal his acts,—more sanguinary in the end.—Ros[enkampff] says procureurs do everything: parties do not appear; everything secret. A ring bought, described to be stolen, and the buyer punished by paying three times its value, without being examined,—without returning the ring,—matter pleased the empress much,—and the emperor,—quite the amusement at court.—Under Cath. Ros: *grand cajoleur de son metier*. Tattle made for emperor. Klinger preaches atheism to the corps of cadets,—introduces semi-reform economy.—750 élèves du corps des cadets.—Noblesse Russe poorest in the world.—250 mathematicians in corps des cadets,—names of élèves published when they distinguish themselves,—punishment,—confinement and double tasks.—In Catherine's time whipped publicly,—forty-five sent into Italy,—ten returned.—Women in the town get drunk and whipped by their husbands' order in the presence of the police—200,000 rubles *establishment de demoiselles nobles*—Russian no ideas of religion—Priests without property or understanding—Paul persecuted a particular sect—Constantine wrote for —. D—— said he expected the empress, and he was glad she would know his visitors. Galitzin dines with Dr Grieve—First minister will dine with any merchant. *Titre de noblesse* to an *etranger*. Casadovloff a senator—examined the cases of 300 exiles in Siberia—sentences of some reversed by emperor, and pensions granted—this not to be published—Dam: pleaded for its being published, but in vain—accounts extremely complicated—cause, the multiplicity of offices, everything sadly confused.”

Another letter from Dumont to Romilly, dated 5th August, 1803, has this passage:—

“Bentham's work is recognised as superior to everything that has preceded it: they had been in correspondence with the jurists of different countries: they were by no means satisfied with their letters. But Bentham presents the two great *desiderata*, classification and principles. A translation is ordered: it will be done with much care, and even magnificence. They are waiting for what is to follow on Judicial Establishments. I have much to say to Bentham: I shall pursue my work with doubled ardour, as I already see the fruit of my labours. The Empress Dowager said she had been informed I was the editor of a book she had heard much praised, and requested I might be presented to her: so I went to Pavlousky—she spoke to me in the most obliging manner, and inquired why I would not settle in Petersburg?”

DR PARR TO BENTHAM.

“23d September, 1803.

“MY EXCELLENT FRIEND,—The symptoms of my disorder were paralytic. I have, by the advice of my physicians, been rambling from one place to another, and though not well, I am considerably recovered. I was in Leicestershire when your letter arrived at Hatton. It has been forwarded to me, and I hasten to send you a short answer. I congratulate you on the extended and deserved fame of your inimitable work on Legislation. I readily admit the representation you give of your own prowess and ardour in gallantry. I disclaim all imputations of compulsion to obtain a letter to you from Mrs Wynne—her own admirable good sense suggested all she said to you—and among female critics, there is no one on whose praise you ought to set a higher value. What Mr Romilly told you is true—more is true which he has not told you, and which increases the absurdity.

“I am sorry you did not see Symonds,* for he is a profound scholar, and a most sagacious and conversable man. Well, I shall now tell you my movements and my wishes, or rather my commands.

* See above, p. 138.

"I am engaged in a most arduous, most interesting, and most important work of friendship, to an old, worthy, injured, and oppressed pupil. It is an Herculean labour; yet my patience, strength, and fortitude are equal to its difficulties and its merits. I return to Hatton for a few days, and then, by appointment, I must go into Northamptonshire. I shall be at home on the 19th, for it is a Fast—now, on the 19th October, or any day after it, I must insist on seeing you at Hatton. Two roads from Birmingham to Warwick go through my village; the distance is equal in both. I am seventeen miles from Birmingham—come to me,—I entreat you to come. I hope yet to be in better spirits, and better health than I now am.

"God bless you; remember me to your faithful and sensible auxiliary, Mr Koe.—I am, dear Sir, with very great respect, and very sincere regard, your friend and obedient servant.

"I am, at this moment, annoyed with numberless vexations: come, come!"

BENTHAM TO DR PARR.

"17th October, 1803.

"Marche route of the Queen Square Place Volunteers.—Set off on Tuesday—reach Birmingham on Wednesday evening.—On Thursday evening or Friday morning, retreat to Hatton. There storm the vicarage, giving no quarter—after committing ravages indescribable, evacuate the place on Sunday morning early—continuing the retreat to Oxford. Take up quarters there, Monday, and possibly Tuesday.

"None of your *Alcandrumque Haliumque, Noëmonaque Prytanimque*, under the notion of helping to *désennuyer* the travellers; for what is it that we go forth to see? Answer.—Parr, and Parr only; a reed lately shaken by the wind, but now, we hope, stout and strong again. Time, according to my estimation, not by a great deal enough for that; but more at present cannot be found.

"Stay the hand of the Vicar's wife, and say unto her—Slay no fatted calves—the elder hath outlived that branch of the lusts of the flesh, not to speak of others.

The younger? he hath never known it—Step not, even although it be but a span's length, out of the path to which thou art accustomed; and remember we are Rechabites. Is it not written,

Ουαι τρυφης παρὰ σοι χρηζομαι ἀλλὰ μωνης.

Not improbably, a boy sent to me by Mr Strutt at Derby, from a place of his brother's called Belper, six miles from thence—boy's name unknown—age about twelve—may inquire for me at the Parsonage, either Friday or Saturday.

"Should death have disposed of me in the meantime, pay the boy his expenses thither and back again, I pray thee, opening the letter he will possibly have for me, and bring your action against my executors and administrators."

Again:—

"Δυσπαρι!!!

"Your friend Homer, in his quality of *vates sacer*, added to his gift of poetry, a spice of the gift of prophecy. One proof of it is, that, foreseeing the provocation you would one day give me, he provided me with so apposite a *nom de guerre* to belabour you with. As for my name, if it be not in the *Iliad*, like yours, *totidem verbis*, it will be found there *totidem literis*, which, in these cases, (you know,) is quite sufficient. Have at you, then, once more, Ω Δυσπαρι!!! There you have it again, up to your very gizzard!

"When as the prophecied, by the prophecied—Oh, thou false prophet! by thee prophecied—5th of January approached, Herbert [Koe] and I began counting the hours. Phœbus's horns had scarce reached their first bating place, when I detached him (not Phœbus, but Herbert) in quest of you to the fatal place, the Carian Street,—to the *campus ubi Troja fuit*,—from whence he brought me, alas!—(the alas! should have come earlier: pray, put it in the proper place)—the beggarly account of empty boxes! When a disappointment falls on me,—to spite it, in return for its spiting me,—I endeavour to laugh it off as well as I can. So accordingly I did, and by these presents do, by this: but, in serious and sober sadness, it was a grievous one. Ask Herbert else, when the next *fatalis*

dies comes (the 5th of May, is it not ?) —ask him, who, being the younger, should, according to the old rule, be the honester of the two—or rather, clap your own sacerdotal hand to your own sacerdotal gizzard, and ask that.

“Nor yet art thou the only slippery card, on which it has pleased the *vates* to exercise his prophetic talent. In a cover, franked by my old friend Phil. Metcalf, (one of Sam Johnson’s executors,) I sent to Hatton, as per order of your reverence, in *usum* του Φοξου. two months ago, Citizen Dumont’s letters. In all this time, Romilly has neither received nor heard of them: a fortnight, I think, or thereabouts, was the time indicated. He has sent Mercury to me express upon this single subject; and it is under the spur of the god that I write this to you. C. Fox, if Fame is to be believed, has a turn, or head as men say, for forgetting things,—at least such little things; and this is what his friend Homer made known to the world, though it has never been found out till now, (for the best prophet, I need not tell you, is nothing without a good interpreter,) in the line which beginneth, Φοξος εἶν’ ἐφαλκην, which was what the old man in the *Spectator* had in view, when, shaking his own head, he cried out to his son, ‘Ah, Jack, Jack, thou hast a head, and so has a pin.’ How clear an insight must the bard have had into futurity, when the two most illustrious characters of the present age could thus be designated even by their very names! No contortions, no translations necessary:—not *Ισος*, but *Παγίς*; and in the case of a spot in the sun, *Δυσπαγίς*:—not *Αλωπηξ*, but *Φοξος*. The name of *Φοξος*, in particular, is become so familiar to him, as to have passed already, you see, into a proverb. How deplorable the hallucinations of the scholiasts and lexicographers, who have mistaken the proper name for an adjective, and imagined a physical noun to affix to it. If the case were among those in which error finds an excuse in invincibility, they might perhaps take the benefit of it,—such of them, I mean, whose respective flourishing times have been anterior to the present age,—for nothing

less than a prophetic view of the subject could have set them right; and well they might plead, that the spirit of prophecy never descended upon them. But I am in your reverence’s judgment, whether in a case of prophecy, and errors thereupon assigned, invincibility be a plea pleadable.

“This puts me in mind of a system, which, like the *Alliance* and the *Divine Legation*, had a considerable run when it first came out; but which, notwithstanding the ingenuity of it, and the high reputation of the author, was never made out in such a manner as to exhibit itself clear of all objections to my weak eyes. I mean Dean Swift’s hypothesis about the derivation of the Greek from the English language: a proposition which, after all the proofs that were collected in support of it, did not appear to me to be established upon any more solid grounds, than Dr Vincent’s hypothesis about the Greek verb—‘*Alexander the Great*’ not being deducible from ‘*All eggs under the Grate*,’ or even ‘*Archimedes*’ from ‘*Hark ye maids*,’ (and so of the rest,) without considerable violence to language; not to speak of the chronological difficulties, which, to my satisfaction, were never thoroughly cleared up.

“Compare that hypothesis with—I will not say the hypothesis, for it is a matter of simple observation; I claim no merit in it—the Homeric prophecy. Look at it, you find it all broad daylight: not mere etymology, but actual orthoëpy;—and as for chronological difficulties, here, *ex natura rei*, they have no place.

“Dispel your fears, my friend: my inspiration has at length run itself out of breath. Should it find you incredulous, (we are neither of us intolerant,) fear not from me either excommunication or *præmunire*. [The worst punishment I would inflict upon you, had I Pandora’s box, with its whole contents, under my arm, would be, imprisonment from the hour of five to eleven in Queen Square Place.]

In a letter from General Sablounkoff to General Bentham, he says:—

(Translation.)

"February 5, 1804.

"I can hardly wean myself away from Dumont's *Principes*, even to write to you. Your brother's book satisfies alike the soul, the heart, and the mind. It fills the soul with peace, the heart with virtue, and dissipates the mists of the mind. I am so strange a fellow, that I must have an element of my own, and I have found it in Bentham's writings. Russian as I am, my instinct will not let me rest; and I desire for my country the possession of those truths which the beneficent genius of Bentham has created for the whole human race.

"Russia wants laws. It is not only Alexander the First who desires to give her a Code—Russia herself demands one. We Russians have seen the growth of the French Revolution—the despotism to which it led, and from which they have lately been delivered; but we must have a Code—a Code which will preserve to government the necessary energy for governing in justice this vast country, composed of varied nations—all of them conquered—but which paralyze it for injustice too. Let Jeremy Bentham prepare it!

"I do not know him—but I say to myself, 'If he die without having dictated a Code, he will be ungrateful to that Creator who gave him his intellectual powers.' And then I ask, 'May not my country possess it?' But how? It must come from the throne to the subject, or be presented by subjects to the throne. But as the sovereign is as much interested in giving, as the people are anxious to receive it, whenever that Code shall be ready, there will be little difficulty in deciding who shall be the giver, and who the receiver. Let it only be ready. Let it be translated into Russian. All that I can do shall be done."

BENTHAM TO DUMONT.

"Q. S. P., 22d March, 1804.

"MY DEAR DUMONT,—As to the papers being inserted in the Russian edition of Dumont, you are certainly in the right. It would be quite a *hors*

d'œuvre. But I thought your wish was to make them a present of something which might form a separate work, though a small one. If what appeared to you paradoxes, are either erroneous or insufficiently supported, that is a sufficient reason for not sending them. As to further elucidations, you will agree with me that it would be '*Diamoniacal*' policy to quit a work almost finished for another little more than begun.

"I had been working at, and thought to have finished, a concise view of the influence of money in the increase of wealth, as a specimen of the '*Præcognita*,' preparatory to the practical part—the Agenda and Non Agenda.* But, just now, I have got returned from Trail my Thornton and your Wheatley; and I see few ideas in my papers that are not to be found somewhere or other in their books. What I could hope to do would be little more than substituting method to chaos, and keeping clear of contradictions, which are to be found in both, but more particularly in Wheatley, who, immediately after recognising (from Thornton) the mischiefs of a too contracted circulation, and adding, (and truly,) I believe from himself, that they would be worse than those of a too enlarged circulation, comes plump to the conclusion that all country paper ought to be prohibited by an operation nearly, if not altogether instantaneous. The moral is—that I should go quietly back to Evidence, of which already I have left scarce the smallest corner altogether unexplored, after discovering a multitude of odd corners in it which no lawyer ever noticed. Were I to die immediately, the loss would not be great to Evidence: if half a year ago, *quite amour propre*, the case would have been different.

"Keeping what I have written on the subject of the influence of money on the production of wealth, I send you the chapter on Method, which was what you had proposed to, and for insertion without the leading features. You will find some little additions to it, which you will do with, collectively and severally,

* See the Manual of Political Economy in the Works, vol. iii. p. 33.

as you please. Many thanks to Lord Henry [Petty] for his 'Report.' I was much edified and interested by it. Sierra Leone has always been an exception to my anathema against Colonies."

BENTHAM TO SIR R. P. CAREW.

"Queen Square Place,
"20th April, 1804.

"DEAR SIR,—Mr Colquhoun, t'other day, having put into my hand the papers communicated by him to your office, in relation to the Bill for the Suspension of the *Army of Reserve*, the use I observed therein made of a favourite and long ago entertained, digested, and even communicated idea of my own, not only for the prevention of desertion, but for abundance of other uses—I mean personal identification marks—suggested the following queries:—1st. Might it not be easier, by consent, altogether voluntary, (viz. among the conditions of enlistment, at the receipt of the bounty money,) and consequently without Parliamentary cognizance and debate, to apply the security to *all* recruits enlisting *in future*, than by converting it into a stigma, to confine it to the case of *deserters* only, on whose persons, the ordinary punishment of whipping, produces equivalent effect, though probably not thought of by those who instituted it. The name, with some other identifying particulars, (a symbol of honour might be of the number,) might form an ornamental bracelet above or below the elbow.

"2nd. At present, spontaneously inflicted marks of this sort, are said to be so common among the seamen, that it is perhaps easier to find one who is furnished with such a mark, than one who is free from it. In those instances, how variously soever diversified the marks may be, and how far soever the man may be from having in contemplation any such act, yet can it be otherwise than that these means of identification operate as a restraint upon desertion with very considerable efficacy?

Were a signalment of this kind once established in the character of a mark of infamy is it not to be apprehended that the above-mentioned custom of self-mark-

ing would cease? And in that event, would not the gain of this sort of security in the instance of a thousand or two convicted deserters (and who already wear the like security though in another shape) be very dearly paid for, by the loss of it in the instance of perhaps fifty thousand seamen in the king's service, not to mention those in the merchant service, and even of other classes?

"I will not, on the present occasion, attempt to trouble you with a detail of the prodigiously diversified, as well as important and useful applications capable of being made of this species of security for good behaviour, in proportion to the extent which could be given to it. A variety of offences might by means of it be rendered altogether impracticable; many more encompassed with additional and palpable danger, and thereby checked—and punishments mitigated without prejudice to their efficacy. The security of imprisonment might be increased, and, at the same time, the rigour of it abated, &c. &c.

"In Panopticon, it was a sheet-anchor: my plan was, by all imaginable and lawful means (rather than fail—of which I had little apprehension—I would almost have hazarded unlawful ones) to get the prisoners to submit to it, as part of the uniform of the establishment; and to prevent its being considered as a punishment, or a hardship, I intended to have set the example in my own person, and, if possible, in those of my subordinates. I mentioned it at the time to Sir Evan Nepean, who was struck with it, and seemed to come into it heartily. I believe, he himself, as a seaman, had been used to think of it in some such view; but, for my part, I had applied it upon paper, to the whole catalogue of offences committed and committable. The present generation, I fear, I should rather say, I am certain, is not yet ripe for giving it the extent of which it is susceptible, nor of deriving a tenth-part of the advantage that might be derived from it. Real public spirit is so rare—horror of singularity, to any useful purpose, so general, that there is not, perhaps, one man in a thousand to whom any degree of public utility would afford

sufficient compensation for the depriving himself of so good a pretence for setting up, or joining in a horse-laugh. I have, therefore, for these twenty, or twenty-five or thirty years, kept myself from saying of it in print, what otherwise I should have said of it. I should not, even now, have thought it worth while to sacrifice the hour I have been bestowing upon it, had it not been for the alarm of seeing my panacea spoilt forever, by what appeared to me an injudicious application of it.

"In a very short conversation I have had with Mr Colquhoun, I threw out a few hints to the above effect, and he did not appear to disagree with me. Excuse once more this trouble, which, with great reluctance I have prevailed on myself to give you. Give me credit for substituting a legible hand for the illegible one you sometimes complained of, and believe me ever," &c. &c.

BENTHAM TO J. MULFORD.

"3d May.

"MY DEAR DOCTOR,—I don't know whether your letters and newspapers come often enough to have informed you that it is all over with your brother Doctor* and Co. at the Treasury: their inability to continue to prescribe for the body politic, having been confessed by them in both Houses on Monday. The king was to have sent for Pitt yesterday, or the day before, to make up a new Ministry, but did not. If he had, Pitt was to have sent an offer to Fox on the same subject. This not having been done, things are consequently in great confusion; and, if not done before, Fox is to make a motion in the House to-morrow. The wonder is not great: I have it on the present occasion from 'near observers,' that on all changes of administration—even those which have happened when his majesty has been in full health—he has been prodigiously agitated: so much so, as to have gone without food for two or three days. At present, I understand from equally good authority, that on Saturday and Sunday, there was a visible relapse into insanity, (though nothing

said of it, I believe, in the newspapers;) and, moreover, that should he recover his soundness of mind, the body is manifestly and irrevocably broke."

Dumont makes these remarks in a letter to Bentham on the article in the *Edinburgh Review* on Bentham's writings:—

(Translation.)

"Romilly tells me, after having seen somebody who has read the article in the *Edinburgh Review*, that the book—the book of books—has been treated there with scandalous irreverence; and for the rest, after having been well chastised, well pulled up, well humiliated for our faults and our errors, we shall have the advantage of being thoroughly instructed in matters of legislation, since these gentlemen—dissatisfied as they are with us—will, doubtlessly, teach us to do better. I am charmed that the lessons of these young people have come in time to prevent me from continuing my follies. I only just wait to read what they say, before I throw all your MSS. into the fire. What remains of life will be tranquil. Hallelujah! I shall have nothing to do!"

Dumont gives to Bentham (August 9, 1804) this description of Harrowgate:—

(Translation.)

"The water here strengthens the appetite, but weakens the digestion. The place has few attractions, though there are some agreeable walks in the neighbourhood. Knaresborough is in a very picturesque situation—the whole valley is charming. The dripping well is very singular—it is an abutment of the rock, whence falls a perpetual rain of petrifying water, which the curiosity of the inhabitants employs for petrifying nests, hats, wigs, &c. A wig is petrified in a year. The ordinary manner of life here is, to take up your abode at an inn, where there are tables for sixty, eighty, or one hundred persons. When one of the inns gives a ball, the custom is to send a general invitation to the other inns. Thus, 'the ladies and gentlemen of the Dragon request the ladies and gentlemen of the Marquis of Granby, to do them the honour,' &c. The prices are

* Addington.

moderate. At the best, it only costs six shillings a day for breakfast, dinner, supper, and a luncheon whenever you please; and the tables are abundantly supplied. Three shillings for the servants."

DR PARR TO BENTHAM.

"August 26, 1804.

"DEAR SIR,—I enclose you an extract from a letter which Mr Fox wrote from Chertsey, and which reached me this morning at Cambridge. Depend upon my exertions to recover the papers. I am exceedingly sorry that my daughters, during their short stay in London, were unable to visit one of the wisest and best of human beings in his charming retreat. Mr Fox writes thus—'What a vexatious thing was the termination of the Middlesex election! However, without being an extravagant optimist, one may hope that it will turn out for the best, and help to raise some spirit.'"

In a letter to Dumont from Speranski, dated October 10, 1804, this passage occurs:—

(Translation.)

"We are very glad to have the addition respecting *Political Economy*; for, by the extent of its views, the clearness and precision of its classifications, and the systematic character of its arrangements, it is eminently valuable. The desires which Necker expressed to you would have been fully answered had he seen this chapter. For nothing is more true than your observation as to a want of system in this part of our knowledge. Adam Smith has furnished us with inestimable materials. But, as he was more occupied in proving and deducing from experience the truths he established, he did not think of making a *corps de doctrine* out of them. The more closely he is examined the more obvious is the want of method; but those who have come forward to supply it have thought they accomplished the end by omitting some details—shortening some digressions, and giving another arrangement to his materials: so true it is, that among so many workmen, the architect is wanting. I believe that in following

the plan of Mr Bentham, *Political Economy* would occupy a position much more natural, more easily to be studied, and more scientific. You may thus judge the value I attach to the promised work.

"The specimens of Bentham's work, which have been printed in the *Journal de St Petersburg*, have been most warmly welcomed."

REV. JOHN NORTH TO BENTHAM.

"Ashdon, 22d October, 1804.

"By a Linton wagon I shall send you, in a few days, a parcel of perennials, and a few shrubs, &c., according to my engagement when I had the pleasure of seeing you here: happy if you will permit me to add my mite, in order to adorn the spot inhabited formerly by a great poet, as now by a great legislator. Happy if they should thrive in the place, and ever and anon remind you of anything that was pleasant in your abode at Ashdon. If Mr Koe should consider this Envoi as a *Praxis Botanica* for him during the next summer, and should be able to assign to each of them their Linnean names, I shall take the liberty of proclaiming to the universe, that he is a systematic botanist of no inferior note. For my own part, if I had affixed a label upon each of them, I should have been tempted to make use of an inscription only—*vivite memores nostri*.

"I have lately had a letter from our Dumont: he makes his approaches to us with all the solemnity of an emperor of former times—from Harrowgate he journeyeth to Bowood—from Bowood he journeyeth to London—and there he breathes a few days: when he will proceed to Ashdon, his imperial majesty saith not. When you get him within the magic circle of your study—amidst all the scoldings wherewith you will scold him, pray you, my good Sir, do not forget to scold him for leaving me, during so many months, without any Benthamic food whatsoever."

DR PARR TO BENTHAM.

"December 23, 1804.

"I do hereby promise, in my own name, and in the name of our holy

mother the Church, to return faithfully into the hands of Jeremiah Bentham, Esq., a certain red tea-canister, with the key appertaining thereunto, which he left at Hatton parsonage, A.D. 1803—as witnesseth my hand this 20th day of December, 1804.

“ S. PARR.

“ And now, dear Sir, you may confidently summon Mr Koe, and pronounce exultingly, *populus quod clamat Osiri invento*, ‘Ευρίκαμεν, συγχαίρομεν; with all due attention to your taste as a tea-drinker, and your whims as an old bachelor, Mrs Parr seized and preserved the precious relique. Accept my best thanks for the valuable present of wine, and the wily manner in which you assign your reasons for giving it to me.

“ ‘*Porcis hodie comedenda relinques*,’ was the common language of a donor in old Horace. But you are more courteous, more friendly; and you give what is more acceptable to an orthodox divine. I shall never forget the age, and raciness, and transparency, of the delicious beverage—and I fortify myself with Pindar’s authority.

Αἶνει δὲ παλαιὸν
Μὲν οἶνον, ἀνθρα δ’ ὕμνον
Νεωτέρων.*

“ — Your wine makes me obedient to the first part of the precept, and I wish our contemporary poets would give me an opportunity to comply with the second. Your present comes, too, auspiciously and seasonably, for my ζῆλος πτήσιος, has lately been on the point of slumbering. Yesterday morning I dismissed three of my servants for naughty attempts to break open the cellar-door; and surely they were induced with what Cicero calls the *robustior improbitas*, in practising their tricks on a spot which, in particular, has long been watched by the angry ghost of my reverend predecessor, Parson Nelson. The culprits acknowledged their belief in the spectre, but denied their guilt. In vain did I threaten to employ all the powers of ancient divination:—νεκρομαντεία, ἀξινομαντεία, ἀλυστρομαντεία κεφαλonoμαντεία κ. τ. λ. And

luckily I could have used the last-mentioned spell with peculiar force; for I lately bought a jackass, and had only to cut off his head, and broil it on the coals, and observe whether the teeth chattered, or the jaws moved, while I called over the names of the suspected. I shall welcome your caskets; and I applaud you for shunning the ill-omened dozen. I meant to be in London by the 20th December, in order to attend a meeting for the relief of decayed schoolmasters, where the Bishop of Gloucester, the Dean of Westminster, and I, are stewards for this year. But I, last Monday, sent an apology; and you will not see me before May—and in May, I must say a few words on the question of utility. I shall mention you in the pulpit by name—nothing shall protect you—fear nothing, for you will find me not very distant from you in principle; and I shall have occasion to commend the correct and logical way in which you state your opinions. Not so doth Godwin and his French followers.

“ You have used, and I have used after you, the word religionist, as opposed to the mere moralist. I am censured for innovation,—and the censure equally falls upon you. As the habits of thinking and writing, in our day, require the word, in the sense we assign to it, I see no reason why we should be ashamed of supplying it. But I think that I have seen it so used elsewhere; and if you have any [English] example, pray tell me. Smith, and Brown in his answer to Shaftesbury, use it in the opprobrious sense of religious warmth. I will give orders at the *Black Swan*, and when the wine arrives I will tell you. I have lately been visited by a learned bishop; and as he is a very inobtrusive, enlightened, tolerant prelate, I wish you had been here, and you should have had his benediction, and you could not have incurred my anathemas. I shall set a mark on all the corks, that my friends and I may drink to your health. I have been revising some epitaphs, intended for a tablet, which the Birmingham Dissenters are going to put up, in memory of Dr Priestley. I was pleased with three, but have written a fourth, and I be-

* Pind., Ol. ix.

lieve that my clerical brethren will not be very much dissatisfied. My great object was, to avoid all Sectarian, Unitarian, Democratical jargon. Pray desire Koe to get me a copy of the inscription upon Lord Mansfield, from Westminster Abbey, and I will send you, as soon as I can, the epitaph on Dr Warton—it will soon be transmitted to me. Now, friend Jeremiah, what bribe would you offer me for my Latin inscription upon Burke? It is the best I ever wrote; and, one or other of these days, Mr Koe will filch it from my lips. I have been reading old Latin writers on metre, and puzzling my pate with bad readings and lame verses in Terentianus Maurus, but not to the neglect of better things—*ethical and ontological*. Well, is there a king?—is there a parliament?—is there a ministry?—is there a war?—take away *taxes*, and I shall be a sceptic *upon all these points*.

“Remember me kindly to Mr Koe, and believe me, with very great and very sincere respect and regard, dear Sir, your friend and obedient servant.”

A friend and favourite of Bentham, writes to him:—

“February 17, 1805.

“To speak again of my far less worthy self, I am come over to turn dealer in human flesh—in other words, recruiting officer; and my business is to raise fifteen men for the —, in consideration of which, I am to be transferred to that regiment from the Infantry. By this, I gain nothing in rank, but my then commission will be double the value of my present one. Would Panopticon were established—the wish is both patriotic and selfish; for then I would endeavour to coax you out of that number of your incorrigibles, who might do well enough for soldiers, though mere drones in your industrious hive;—so far selfish—now for patriotic: Let all who have compared it with the present system of transportation and dock-yard labour, decide—I am now, then, stationed at —, with a small party of dragoons, for the purpose of persuading honest labourers and mechanics, to sell their liberty for thirteen pounds eight shillings,

and quit their ploughs, their looms, and their anvils, for the sword and musket. Much to the credit of their intellects, though sorely to my own mortification, I have not yet had eloquence enough to induce any one to make the exchange—in vain my men are dressed out in all their military finery—in vain bunches of different coloured ribbons are fixed around their helmets—in vain my printed bills invite them to fight for their king, and live the life of heroes; the villagers seem invincibly attached to their rags, their hobnails, and their obscurity. They have not a spark of ambition in their souls; and, if I must speak my real sentiments, they are in the right. What would they gain?—not honour—that is monopolized by the General in a larger proportion even than the prize-money. Wounds then—and an old age of poverty and distress; for, as to Chelsea Hospital, I should suppose it cannot by any means provide for all the claimants on the gratitude of the country.”

DR PARR TO BENTHAM.

“26th February, 1805.

“DEAR SIR,—At a very sudden and unexpected warning, Somebody set off from a Warwickshire parsonage. He has been in town rather more than a week—he is lame, and out of health and spirits, and in a few days he must make his escape. He has twice seen Mr Dumont, and on Saturday morning he stepped from carriage into Queen Square Place. Three times he gave three stout raps at your door—he waited five minutes and more, but in vain. He cannot call again, and is so teased with lawyers, &c., that he will not permit you to sally out. He has preserved your precious tea-chest, and will deliver it to you in May next. He desires to be most kindly remembered to Mr Koe.—He is, with the greatest and most sincere respect, your friend,

“SOMEBODY, *alias* NOBODY.

“To Jeremy Bentham, at
“the deserted house.”

I find among Bentham's papers, of this period, the following curious letter

of George the Third to the Bishop of Worcester, Dr Hurd :—

"MY DEAR GOOD BISHOP,—It has been thought, by some of my friends, that it will be necessary for me to remove my family. Should I be under so painful a necessity, I know not where I could place them with so much satisfaction to myself, and, *under Providence*, with so much security, as with yourself and my friends at Worcester. It does not appear to me probable that there will be any occasion for it; for I do not think that the unhappy man who threatens us will dare to venture himself among us; neither do I wish you to make any preparation for us; but I thought it right to give you this intimation. I remain, my dear good Bishop,

"GEORGE."

Dumont thus announces the death of Lord Lansdowne, which took place on the 7th May, 1805 :—

(Translation.)

"There is no longer any information to be asked. The last event took place this morning at six o'clock. The two last days have been passed in a state of exhaustion or insensibility."

Admiral Modvinoff writes to General Bentham :—

"*Petersburg, 5-17th May, 1806.*

"I long to settle in England, and, settling there, to be acquainted with your brother. He is, in my eyes, one of the four geniuses who have done, and will do most for the happiness of the human race—Bacon, Newton, Smith, and Bentham: each the founder of a new science: each a creator. I am laying up a certain sum for the purpose of spreading the light which emanates from the writings of Bentham."

The letter which follows explains itself. It is the answer to a proposal of marriage made by Bentham to a lady for whom he felt an affection, which lingered in his spirit to the very end of his days. Of that lady I have often heard him speak with tears in his eyes; and in illustrating a later period of his life, when he made me the confidant of his

"love passages," I shall have to record more of his reminiscences on the subject. Even in his playfulness, the introduction of her name, or any circumstance connected with her name, would overpower him with melancholy. That name need not now be divulged, though there is nothing in the correspondence but what is highly honourable to the writer :—

"*October 10, 1805.*

"You do us but justice in believing that the renewal of friendly intercourse, after the lapse of so many years, afforded us the sincerest pleasure,—so great a pleasure indeed, that I am afraid the wish for its continuance (aided by an apprehension, on my part, of yielding to what, for aught I knew, might be the suggestion of an extravagant female vanity) has misled our judgments, and caused a pang that I would have given the world to spare you—for we can never meet *but as friends*; but this I did think. that, after a separation of sixteen years, we might have done with comfort and satisfaction to us both. Alas! I have been painfully, to myself as well as to you, mistaken; and I really never shall forgive myself, unless you acquit me of the least intended disturbance to your peace—unless you acknowledge that your own caution or your nervousness might naturally have led me to form that conclusion which was most agreeable to my wishes, as it flattered my hope of seeing you, and living henceforward in habits of intimacy with you. This was foolish—I ought to have known you better; and had dear Mrs——been within reach, she 'who looks before and after,' and quite into the hearts of men, would have been more clear-sighted. She never was cruel, but for a kind purpose; and we should have done better had we followed her example. Dear ——— once compared me to a cat playing with a mouse. I was hurt and vexed at the reproach; though my conscience acquitted me then, as it does now, of ever designing to give pain to any human being, much less to one whom I did, and ever shall respect and esteem, and gratefully remember. Yet I am more vexed now, because I think appearances are more

against me. It is in your power, however, to make me easy, if you will instantly, without the waste of a single day, return to those occupations from which the world will hereafter derive benefit, and yourself renown. I have enough to answer for already, in having interrupted your tranquillity, (God knows how unintentionally,)—let me not be guilty of depriving mankind of your useful labours, of deadening the energy of such a mind as yours. No, I have heard wise people say, and I hope it is true, (though not to the honour of our sex,) that single men achieve the greatest things. Pray, pray, rouse all the powers of your mind—you certainly have weapons to combat this idle passion, which other men, with vacant heads, have not. Let me, as a last request, entreat you to do it, and to devote all the time you can spare from your studies to your friends in Russell Square. There is not a man upon earth who loves you more affectionately than Mr Romilly—I know he does; and his wife's society, you acknowledge, is soothing to you. Do this for my sake, and allow me to hope that, before I have quite reached my grand climacteric, I may again shake hands with you: it would be too painful to think it never could again be so. In the meantime, God bless you, and be assured of the unalterable good wishes and regards of the two spinsters. One word more, and I have done. Remember that we wrote to Mr Dumont, positively to know if you had made any stipulations against meeting *us*, whom you might very probably find at —. I thought, perhaps, he might have guessed a truth which I was unwilling and ashamed to mention; but ignorant as he appeared to be of the state of things, it was no wonder he answered decidedly *not*, or in spite of —'s urgent entreaties we should have sent an excuse that evening. Heartily sorry I now am that we came; but the past cannot be recalled: only forgive it, and forget it if you can; and do not believe that, when you weep, I smile. No, I weep too; nor when you are reading this letter, will you be more nervous than I have been in writing it. Health and success

attend your labours; and if I must be remembered, let it be as one most sincerely interested in all the good that befalls you. So once again, God bless you,—and farewell!

“If it is any consolation to know that your letter has made me very unhappy, I can assure you, with truth, it has, and will do so for a long time to come, till I know that you are as comfortable as you were this time twelvemonth.”

ROMILLY TO BENTHAM.

“February 4, 1806.

“I suppose there is no doubt that I am to be Solicitor-general, though it has never yet been announced to me, nor even that I was to be proposed for that office. If it had, I should have communicated it to you.”

General Sabloulkoff (8th June, 1806) mentions some curious facts in connexion with the evidence of serfs in Russia, on questions of landed property:—

GENERAL SABLLOUKOFF TO BENTHAM.

“As you are now working on the subject of evidences, I think it worth while to communicate to you a very strong argument, of which I thought since yesterday, to prove how positively *slaves are legally admitted as evidences in Russia*.

“Every time that officers of the government are employed in stipulating the limits of estates, an equal number of peasants, or slaves, are taken from each neighbouring estate, to be a living witness of the trees, brooks, rivers, mountains, posts, &c., that indicate the limits. Part of these peasant witnesses are old men, others are boys. As some of these witnesses die away, others take their place, so as for the same number of witnesses always to remain alive. These witnesses go regularly every year to inspect the marks of limits, and *keep them*, what they call, *in life*. In case any of these marks are removed, and a quarrel between neighbours arise about limits, the life witnesses of the limits are brought into court as evidences, either *for* or *against* their masters. Such witnesses are called in Russian,

poniatiia, *knowing ones*. It is reported, that, in some provinces, the boys, to be more impressed, are whipped by turn on the principal points of indication: however, I would not warrant the fact."

ROMILLY TO BENTHAM.

"*Edinburgh, September 5, 1806.*

"Nothing has been published on Scotch Reform, but what you have seen. The subject has very much occupied the public attention. The Lord Advocate* tells me, that the project is universally popular; but from other quarters, I have heard a very different account. The old lawyers, particularly those who have done nothing all their lives but write arguments to be printed, and who will now have to learn a new trade, and to address juries, do not at all relish it. I understand that it is proposed that the juries shall be unanimous in their verdicts, although that is not at present requisite in Scotland in criminal cases. Nothing can be more absurd; but I conjecture that the opinion of the Chancellor, and of English lawyers, has decided this important point."

Again (12th September, 1806):—

"The meeting of advocates which you mention, was called with very hostile intentions against the proposed reforms. A motion was made in the meeting, that a committee should be appointed to take the projected plan of reform into consideration, and report upon it to the Faculty of Advocates; and it was settled, that, if the motion should be carried, the persons to be named as the committee, should be those who, it was known, were most adverse to any reform, or, as they express it, to any innovation. The friends of the intended reform were aware of this, and therefore opposed the appointing of a committee, on the ground that it was not yet known what the measures were, by which it was intended to carry the general resolutions into execution; and that till this were known, no committee that could be appointed could form any

just opinion upon the subject. They, therefore, moved to adjourn the meeting till November; and the advocates being in general friendly to the reforms, the adjournment was carried by a considerable majority,—I believe about eighty to fifty.

"I have had a good deal of conversation with some Scotch lawyers upon the proposed reforms. Their principal difficulty seems to be, how to ascertain, with their present forms of pleading, what the facts are which are in dispute, and which the jury is to try; or as an English lawyer would express it, to bring the parties to issue upon the facts of the cause.

"New forms of pleading, or a new procedure, seems very much wanted by the Scotch; and without it, it will be very difficult, and, perhaps, impossible for them to adopt the Trial by Jury. The Trial by Jury formerly existed here, in civil as well as in criminal causes; but at that time, the forms of pleading seem to have been the same here as in England. It is intended to alter the present forms of pleading, but yet to alter them only as far as will be absolutely necessary to admit of juries. One of the articles of the Union (the 19th) is found to oppose great difficulties in the way of the framers of the new system. It is declared by that article, that the Court of Session shall remain in all time coming, as it was then constituted, and with the same authority and privileges as before the Union. This article of the Union has been wholly disregarded upon former occasions, particularly when the Mutable Jurisdictions were abolished, though the same, or another article of the Union, declares that they shall be immortal. There is no doubt, however, that this article will be insisted on by the Opposition, particularly by Lord Melville and his friends; (and amongst his friends, and his creatures, are the very great majority of the ancient Lords of Session.) The terror of such an opposition induced the framers of the resolutions moved in the House of Lords, though they meant to substitute three separate and independent courts, consisting of five Judges each, in the place

* Henry Erskine, brother to the Chancellor.

of the fifteen Lords of Session, to call them only Chambers or Sections of the Court of Session; though the Court of Session, consisting of the fifteen Lords, is not to be assembled on any occasion. I find that it is intended that the juries shall be twelve in number, and be unanimous in their verdicts. The persons who think it right to require unanimity in juries, admit that, in theory, nothing can be more absurd; but they say that, from their knowledge of the dispositions of the persons who must serve on juries in Scotland, they are sure that nothing but the necessity of unanimity will induce them to consider at all the verdicts they are to give."

Lord Grenville afterwards sent, through Lord Henry Petty, the Chancellor of the Exchequer, and Romilly, an invitation to Bentham to be present at a meeting intended to be holden for considering the best means of reforming the judicial system in Scotland. He declined availing himself of this invitation, for reasons which he will be found stating at length; to which has to be added, that of his having found from Romilly, that he, who, from his practice at the bar, and in virtue of his office, was in a peculiar degree competent to assist on such an occasion, had not been invited. The invitation drew Bentham's attention to the subject, and was the occasion of his producing the *Letters on Scotch Reform*, (in vol. v. of the Works.)

Dumont writes (10th Feb., 1807):—

"I saw, yesterday, the first copy of the *Edinburgh Review*. There is a long article of Jeffrey's on the Scotch Bill. He speaks of you,—cites a long passage from *Judiciary Establishment*,—and after some praises, (you may see his paw in this,) he desires you should be engaged on this subject, you being the only juriconsult capable of treating it properly."

MR WILLIAM HUTTON* TO BENTHAM.

"*Birmingham, February 11, 1807.*

"DEAR SIR,—You will pardon my

delay in answering yours of the 28th ulto., when I inform you, that I was obliged, on the first of this month, to have a cancer cut out of my thigh, and this is the first day I have held up my head.

"I was pleased to see Sir S. Romilly's name on the front of your letter; he was one of my counsel at the *Riots*,† and did his part well,—but more pleased at that of seeing Dr Parr within. I revere the man,—have long thought him one of the first of the age, but had no idea that I was known to him?

"I am extremely obliged to you for the favourable opinion you entertain of my productions: where is the man who can forbear taking pride to himself, when praised by the intelligent?

Religion and Law, both designed for the use of man, are, in themselves, two simple things; but by their expansion, trappings, illustrations, and emoluments, are become a burthen to society. Millions of money have been spent, millions of volumes written, and rivers of blood spilt, all which might have been saved by one short sentence,—'Do as you would be done by.'—'I cannot perform it,' says the humble Christian.—'Then come as near it as you can, and be quiet.'—The multiplicity of law is covered by two words, *right* and *wrong*. A moderate capacity, if it can come at truth, may determine any cause. Those laws must be a burden when a man, who is right, would rather suffer a loss than apply to them for redress. Several of my fellow-sufferers at the riots, had not so much awarded them, as covered their law expenses. My part only of the trial, cost me £884, 15s. 9d., which shows something was wrong.

"I conducted the Court of Conscience nineteen years, and always kept two points in view: to come at truth if possible, and then determine between right and wrong. I do not mean to say, I was always right,—truth cannot always be obtained. Nothing short of supernatural powers can determine 100,000 causes without a flaw,—more than that number passed through my hands. My

* The "Franklin of Birmingham," and local historian of Birmingham, Derby, &c.

† Mr Hutton's town-house and villa had been destroyed in the Birmingham riots of 1791.

greatest bane was, that I could never find a way to let *both* parties win. But I was well rewarded, in having a power by which I compromised thousands of quarrels between contending suitors, dismissing their causes without any expense to themselves, and sending away those people *friends*, who approached the bench as enemies,—this I considered a gratification.

“I wish you, my dear friend, every success. Should any questions occur, do not omit asking. My book, pen, and head are at your service: make what use you please of them. If any of the questions are not answered to your satisfaction, ask again.

“Should Madam Fortune, which is not likely, set me down in London, I shall most certainly carry a smile into your house. I was led there last April to ratify a purchase of £10,000. Had I received yours prior to that time, I should have had the pleasure of an interview.—I am, dear Sir,” &c., &c.

BENTHAM TO SIR SAMUEL ROMILLY.

ON THE REFORM OF THE JUDICATURES
IN SCOTLAND.

“Q. S. P., 15th June, 1807.

“DEAR ROMILLY,—Some time before the change in Administration, Dumont came to me to make a communication from Lord Henry Petty, mentioning his having heard that I was occupying myself about the Scotch Judicature Reform, and offering to introduce me to Lord Grenville, for the purpose of my communicating to him my ideas on that subject. Regarding the offer in no other light than that of a manifestation of Lord Henry’s kindness to myself, and not understanding that Lord Grenville himself had any part in it, I found the less difficulty in giving the answer, which I should have given at any rate—viz., after the acknowledgments which such a kindness called for, declining to avail myself of it. My reasons, which I made no secret of, were, that my own notions, which I was preparing to lay before the public, were too wide of the notions prevalent among lawyers in general, and of the notions on which the plan actually on the carpet seemed to have grounded itself in particular, to admit of its being at all probable, or even, in my own opinion, advisable, that Lord Grenville, then at the head of an Administration, should take them up on the suggestion of a non-Scotchman, a non-lawyer, to the rejection of a plan that had, of course, come into his hands, sanctioned by the authority of Scotch

lawyers: And that, even supposing them to be ever fortunate enough to be honoured by his Lordship’s approbation, it could only be in the event of his finding them adopted and supported by a considerable body of public opinion, that his taking them up would ever answer any good public purpose; and that therefore, in my conception of the matter, any such interview would be but consuming the time of one or both of their Lordships to no use, adding, (to prevent misconstruction,) that the disposition in which those papers of mine (such of them as were already written) had been penned, was the reverse of that of personal hostility to the noble person to whom they were addressed, as the tenor of them would sufficiently show.

“Since that time, the Memorial of the Scotch Judges, with the plan of reform contained in it, has come out; and therein I find, (imagine with what surprise,) that which coincides, *as far as it goes*, with my own, in the most material points. My prepossessions were as far from being in favour of those learned personages, as those of Lord Grenville could have been; the style of their address to their constitutional superiors, and the use, or rather the abuse, they had attempted to make of the Act of Union, had made that sort of impression on my mind which they may naturally be supposed to have made on his Lordship’s.

“Before I had begun to give a distinct consideration to their plan, I had even begun, on the above and other grounds, an attack which, notwithstanding the approbation I find myself compelled to give to their plan itself, I propose to myself to go on with and publish for the edification of the *lieges*. But in all this, is there any reason for rejecting their plan, if it be the best that presents any substantial chance of being adopted? no; not if it had for its authors so many agents of Buonaparte.

“As to Lord Grenville, my humble conception of the matter is, that if the memorialists’ plan can be made appear to his view, not inferior to that which happened to be the first presented to him, he will not only do the country more good, but, in the eyes of the country, himself more honour, by taking up the plan that comes to him sanctioned by so many high and appropriate names, than by continuing his support to the anonymous one. For my own part, I consider the public (and so I mean to say) as being as completely indebted to him for the one, as for the other: for, sure enough, had it not been for the chance of getting rid of a plan in which the interests of their pride and their ease were not so well consulted, their learned Lordships would have been far enough from coming forward with this, or any other plan of their own, directed either in reality or in profession to the same ends.

“But now, as to the occasion of my giving you this trouble: Along with this you receive, at last, with the title page, the tables referred

to in the four letters already printed,* as likewise in the subsequent ones; also a few copies, of which it remains for me to speak. Two of them for Lord H. Petty; whereof one, should such be his Lordship's pleasure, to be, instead of the author, put into the hands of Lord Grenville.

"To complete so much of the undertaking as comprises the critique on the plan already before Parliament, and constitutes Part intituled *Proposita*,—and in comparison with which, the extent of the two other Parts,† taken together, will be but inconsiderable, requires two more letters, (Letters V. and VI.) both of them already written—(Letter V., in all parts twice over, and in some three or four times,) but not as yet quite ready for the press; some speculative matter of wide extent, of no immediate, nor absolutely necessary application to the particular measure in hand, not being, as yet, quite adjusted to my mind. What immediately concerns the Bill is, however, in such a state, that if, from anything that is already printed, Lord G. and Lord H. saw any possibility of their being reconciled to the giving up the Chamber of Review, and taking up the *Succedanea* of the memorializing Judges instead of it,—I should, upon receiving an intimation to that effect, be very ready to submit to their Lordships, at a short warning, my ideas on that part of the subject in a concise form: for example, by getting a transcript made of the *marginal contents*, which I almost always draw up before I send anything to the press.

"Scotch Judicature Reform.—Heads of a proposed plan, supposed to be good *pro tanto*; and, at the same time, in respect of what it offers towards reconciling the notions and wishes of contending authorities, not impracticable.

"1. Single-seated Judicature: a point already battled for in the J. B.'s already printed letters, and for which eleven of the fifteen judges have already offered eight of their number, with the seven others, to form a *succedaneum* to the Chamber of Review,—the Faculty of Advocates opposing it might and main, but finding less than nothing to say against it.

"2. Addition by J. B.—Obligation on each of their learned lordships to have an opinion of his own, as our Chancellor and Master of the Rolls have, without the liberty of shuffling off a cause to the Inner-House undecided: *item*, the abomination of receiving representations interdicted, as it is already in several cases, and as the Faculty (happily) propose it shall be in all cases.

"*Appeal not to stop the execution* of [the decree], an arrangement which, after proposing and supporting, might and main, (under such provisions as seemed requisite for prevention of irreparable damage,) J. B. has the satisfaction of seeing proposed by the memorializing Judges,

though without any reasons, or any such precautionary provisions, not objected to by the Faculty, notwithstanding their eagerness to object to everything from Mr Bentham.

"The *mala fide* litigant who has no expectations of an ultimate decision in his favour, unless it be by exhausting the purse or patience of the adversary, may and will be prevented from making delays, by matters being so ordered that no advantage shall be to be got by making of them. The *bona fide* litigant who looks for an ultimate decision in his favour, cannot be prevented from making the delay necessary to his obtaining it, unless it be by expense and vexatious restraints operating with equal force on injurers and injured.

"3. Interest to be allowed on the subject in dispute proposed by the memorialists thus simply: advocated by J. B. to a greater extent, and in a shape of greater efficacy. Faculty again consenting by their silence.

"These (together with *extra evils* to which J. B. objects) are relied on by the memorialists as arrangements of such efficacy, that the number of appeals would soon 'cease to be a grievance to the subject, or a burden to the House of Lords.' In J. B.'s view they would put an end to the *mala fide* appeals: viz., those which come to be withdrawn or dismissed; but in so doing would take nothing from the *burden*; i. e., from the amount of those draughts for time under which the House has so long been bankrupt. In J. B.'s view, it is impossible the House ever should be rendered solvent, by any other means than the erection of what he calls a *Court of Lords Delegates*; to exercise over all three kingdoms as much of the power of the House in respect of Judicial superintendence as at present, (if rather more vigorously, still better,) with as much of the habitual will of the House as the nature of things admits.

"In a separate paper on the leading points,—in the details of my letters, there are a number of things which, whatsoever might be the private opinion of either of their Lordships, they could not in public, with any decency, declare their approbation of. My papers will be public, at all events. The Review Chambers I have little apprehension of seeing carried; but, for the honour of Lord G.'s Administration, my wish is, to see it given up by himself; and that something that will bear examination should have his stamp upon it. Of my publication, the effect, if it had any, would be to cover the proposed Scotch Chamber of Review, with at least a part of that infamy which is made to fall with a full torrent upon the English ones. It is not without the sincerest concern that I should see the smallest drop of it falling upon either of the two noble heads so often mentioned.

"Jury Trial they can scarcely expect to carry against the whole force of Administration, headed by the Chancellor and Lord Melville. But it does appear to me, that by picking out what there is that is good in the plan of the Scottish Bench and Bar together, as in the

* See the commencement of vol. v. of the Works.

† The work was not completed to the extent of these anticipations, see vol. v. p. 16.

annexed paper, a plan might be formed, that should be at once so good, so popular, and so well supported by appropriate authority, that the existing administration would scarce venture to oppose it.

"On the meeting of Parliament, I know not how soon one side or the other may revive the subject in the House of Lords; and this consideration it is that has given you the trouble of the present letter.

"What in their situations it would not, in my view of the matter, be either pleasant or decent for a man to approve, even you will not see till the public sees it; as to everything else, I have no reservers.

"These letters I do not purpose to publish, till Letters V. and VI. are printed. This I have no apprehension of their not being before any measure can have passed the Commons. But if it be the destiny of the Chamber of Review not to stand, how much better it would be that it should be withdrawn by Lord G. himself, than thrown out either in the Commons or the Lords.—I am, dear Romilly, ever yours.

"P. S. At the conclusion of the annexed *Heads*, &c.

"From the complexion of the plan, it being at bottom so well adapted to increase the evils it professed to remove, J. B. had ventured to predict a favourable reception from the class interested in that increase. How fully the prediction has been verified may be seen in the ardent and indiscriminate applause bestowed upon it by the Faculty of Advocates.

"Note, (for your private eye,) to *appeal not to stop execution* in the annexed *Heads* of a Plan.

"This bar to *mala fide* appeals, (say the *Debates*.) Lord G., after having set up, took down again. The reason, if offered to be communicated, I should shut my ears against; true or false in the individual instance, my hypothesis will be equally subservient to the ends of justice."

In the following, Bentham describes his residence at Barrow Green:—

BENTHAM TO MR MULFORD.

"Q. S. P., 18th November, 1807.

"My brother had written to me asking me to take him into my house, and, as I understood, with his half-a-dozen children, &c., for two or three days, while his own was airing, and he doing business in town. I told him he was crazy to think of squeezing such a posse into a *part* of a house, the *whole* of which was not sufficient: *part* he should *not* have, but the whole, and welcome, if that would content him; and that I would stay at Barrow Green till

he had been in town and decamped. Barrow Green House, however, though a very pleasant abode in warm weather, or even till the close of October, was grown so much too cold for me, that I could endure it no longer. The cold incapacitated me from thinking and going on with my business.

"Barrow Green I found so pleasant an abode, and to agree with me so well in point of health, that I propose to make it a sort of country house, so as to spend nearly half the year there, which I can do at little or no addition to the expense. As they produce almost everything within themselves, what it costs me here, will leave them rather the richer than the poorer for what *we* consume. The only dispute is, that they are not willing to take so much as I am willing to give. The two brothers looked glum at parting; and as they had very little society but what they had in us, the good lady of the house wept bitterly at parting, notwithstanding the assurance of our returning by the beginning of June, or latter end of May, to stay till November. I made a rare gossip for her, talking over old stories. She was well acquainted with Browning Hill, and knew you too, speaking of you in terms of great respect. I don't know what you may have known of her history. Having a relation by marriage, (a Mr Featherstone, who married a sister of her mother's,) who lived at Oxstead, not half-a-mile from Mr Hoskins's, the lord of Barrow Green, and other manors, he there made acquaintance with her, and married her,—she but just turned of seventeen,—he pretty much advanced in life. In two or three years after the marriage, he died, leaving her with but one child, a daughter, a rich heiress: she married a Mr Gorges,—a man of good family in Worcestershire; but of little, or no property: he made her a bad husband, and they both died three or four years ago without issue. The mother, in less than a year after Hoskins's death, married a Captain Fawkenner, a captain in the army, without property, who, eight or ten years ago, drank himself to death, after having stripped her of everything he could strip her of, to

enable him to get drink at a distance from her. She had for her jointure no more than a rent charge of £200 a-year; but the property being at the disposal of her daughter, she, in her lifetime, gave her mother, by a deed of settlement, the Barrow Green manor farm, about 400 acres, with the manor house upon it, for life, of which she has been in possession again now for I don't know how many years. The daughter had everything but signed a will, leaving the whole of the Hoskins property, which was very considerable, to her mother; but as they were putting the pen into her hand to sign the will, she expired. The house is a roomy house, seemingly about a hundred years old,—a very good gentleman's house. It stands in a place that was once a park, and has still a park-like appearance: one of the halls (for there are two) is hung round with the horns of the deer, the former inhabitants. The situation is rather low, but not unhealthy, there being other places lower that draw off the water from it: close to the house is a lawn, with a shrubbery, and a straight walk through two rows of horse-chestnuts as old as the house. I call it the *cloisters*: regularly after dinner, for about an hour, my young man and I walk backwards and forwards,—in warm weather sauntering, in cold weather almost running, till we bring it to a proper temperature. Close by one end of these *cloisters* is a lake of about seven acres, well stocked with fish, and with an island in it. It is skirted with trees and shrubs, and stuffed here and there with reeds and bulrushes in such a manner as to be very pleasant and picturesque. About half-a-mile beyond the lake, rises a range of hills, very bold, with here and there chalk pits,—here and there woods, with pleasant walks in them, and very extensive prospects, exhibiting gentlemen's seats in abundance. The kitchen-garden is, unfortunately, thrown at a distance from the house, almost a quarter of a mile off, with a road between. It contains an acre, walled round; but the fruit trees are in very bad order, having; of late, been much neglected: I hope to be able to contribute to put them in a little better order.

She is very fond of flowers, though she knows but little how to manage them: a great hall is, however, decorated with greenhouse plants, on two sides of it, all the year round. She is a good cook, and takes great pride and delight in it, having learnt it from her mother,—at least from the receipts of her mother, whom she speaks of as a *non-such*; but who is better known, perhaps, to you, than to her. She is not only her own housekeeper, but her own cook,—doing everything in that way constantly herself, and making bread, like the Browning Hill bread, I used to be so fond of. A Dowager Duchess of Devonshire, grandmother to the present duke, was of the *Hoskins* family—first cousin, I think, to Mrs K.'s husband; and being fond of the place, rented it, and lived in it for a number of years after his death. Mrs K. used to be a good deal with her then, at the time that the present duke, being a youth, was every now and then there. She used sometimes to be in town with the duchess, holding intercourse with the Duke of Portland, and abundance of other great families. Her sister *Ann* is married to an attorney of the name of Bunce, who, till within these few weeks, lived at *Westerham*, about five miles distant; they are going to Canterbury, but whether to fix there I don't know. Bunce is partly too honest, and partly too indolent, besides having something of a poetical turn, to make anything of his business; but they have a son, who, though yet scarcely of age, is in a situation in the East Indies, that enables him to make remittances sufficient for his father's and mother's support: Richard Plowden, the Director, you must know more or less of: either from him or from Wheeler, the only surviving son of *your friend*, Mrs Hyde, has a very handsome situation in the India House.

"Two or three years ago, *Mrs Chapeau*, (formerly *Harris*,) being on a visit to Mrs Bunce, called, on her way to town, on Mrs K., (then Fawkener,) and was received. She has had ten children by her reverend husband, but only one left. What with property and preferment, they live in a handsome style:

having town house (in Piccadilly) and country house, and, I believe, a carriage. He is one of the king's chaplains, and has livings. When the affair with *Craven* broke out, all the family and their connexions (Harris included) were for hushing it up,—but your old acquaintance, James: he was inexorable; and Mrs K. says, Harris would never have signed the papers necessary for the divorce, had not James Plowden kept him in a state of intoxication, and so prevailed with him. Wheeler and the rest of them were so exasperated with James, that they broke off all communication with him. An officer, who was on board the ship when he was killed, told Mrs K., that if he had not died in that way, he would soon have died a natural death: for he seemed quite heart-broken, and had fallen away to a skeleton. The Wheelers having lodgings for Mrs Wheeler's health at some sea-port, from whence James was to embark, saw him walking before their door every day for a fortnight, in hopes of being called in; but in vain. Between Mrs K. and her brother Richard the Director, there is no intercourse; but there is between her and another (Henry?) who has made a large fortune in India, and is just returned from thence. Two or three years ago, being

at that time also in England, he was in treaty with *Mackreth* for the repurchase of *Yewhurst*; but the sum asked by Mackreth was deemed so extravagant, that he gave the matter up, and bought an estate, with a good house upon it, somewhere in the New Forest. He is a married man; Mrs K., who has seen his wife, reports her to be very sensible, and very amiable. The history of this family would fill a volume.

"You expressed a wish, my dear Doctor, for a little chat with me: here is more than perhaps you will have patience to decipher. Writing so much of other things, and my hand being a weak one, I write letters as little as possible. My brother has not had so much from me in the last twelvemonth. A man who has such a comforter *within him* as you have, can receive little additional comfort from other sources; but I have been pleasing myself with the thought, that, while anything that belongs to this world, is looked upon by you as worth a thought, a scrawl from this hand would not be much in danger of finding itself unwelcome."

Mulford, in his answer, takes up the subjects of personal and genealogical history discussed in the above, and corrects one or two slight mistakes.

CHAPTER XVI.

1807—1810. Æt. 59—62.

Correspondence: Dumont, Sir James Mackintosh, Lord St Helens.—Mr Whishaw.—Romilly.—Anecdotes of Colonel Burr.—Projects for Reforming the Spanish Cortes.—Colonel Burr's Letters.—Correspondence with Lord Holland, and Project of settling in Mexico.—Mulford.—Francis Horner.—Notices of Mill.—Cobbett, Romilly, and Libel Law.—Dumont on Translation.—Mill, Brougham, Jeffrey, and the Edinburgh Review.

DUMONT TO BENTHAM.

(Translation.)

"3d November, 1807.

"It is true, my dear friend, that I have taken means to be perfectly happy during the last three months—passed without care, but crowded with enjoy-

ment in a fine climate and agreeable society. But you cannot reproach me with having forgotten you; for a portion of my felicity belonged to you, and came from you. I have laboured hard. I have revised the whole *Penal Code*, which stood in great need of it. A part translated—a part abridged, before I was

completely master of my Benthamic system. Romilly read a good deal of it in the Isle of Wight, and is very much pleased. His approbation has given me spirit. He deems the publication most important, and says it will awaken public attention.

* * * *

"Horner speaks of the book with admiration;—but is it finished? or are you engaged with something else? Poor evidence! poor procedure! Your turn may come by and by,—but courage,—I submit, but not without a protest—in the name of the human race I protest against Scotland.

"But, Seignior, you owe me authentic reparation! You sold me, though I have not lost a day, to the common cause. I know it is a *ruse* of yours to intimidate me, feeling in your conscience that you are a deserter, and that you have sold yourself to the service of 'Demon pamphlet,' which will always be an ingrate; but I want to know when your bail with this demon expires."

On the 12th November, Dumont writes:—

(Translation.)

"I have received your third sheet in small octavo, and in characters suited to the size; and I must tell you that, if you took Dr Parr for your model, you are not yet quite arrived at *his* perfection; but you are near it—in short, with one or two hours' hard labour, I DID understand, or guess, your meaning.

* * * *

"I have just glanced over your plan of Appellate Judicature, which you sent to Romilly. It seems very good; but bodies seldom consent to lessen their own authority, even though they rarely use it.

* * * *

"I do not willingly undertake the revision of Montagu's translations.* Romilly thinks that if the MSS. were all sent to him, it would be a labyrinth for him, and only create new difficulties. And yet for the definitions, the original phraseology should be employed. What

* Basil Montagu had been engaged in translating back into English, Dumont's translations of Bentham.

better could be found? There is most visible the hand of the great master. This, I must tell you, and I feel as you do, all that must be lost in the translation of a translation. But to confront the work with the MSS. is no small labour, especially when the MSS. are not familiar to the confronter.

"Farewell, then, to the second deluge, as you say; but for myself, I will be satisfied with Methusalem's age. I will not answer your wicked and jealous jokes. No! you will be for exposing me as no better than a Socinian."

BENTHAM TO SIR JAS. MACKINTOSH, (1808.)

"DEAR SIR,—The conclusion of this letter will present you with the name of a correspondent whom you had no apprehension of being troubled with.

"In consideration of the intercourse I was known to have had with Dr Parr, your apologetical letter of 26th December, 1806, to Mr [Granville] Sharp, was put into my hands.† It called forth all my sympathy. Alas! while the propitiatory incense was lighting up, the idol [Fox] was no more. Peace be to his ashes!—My expectations of him were never sanguine. He was a consummate party leader: greedy of power, like my old friend Lord Lansdowne,—but, unlike him, destitute of any fixed intellectual principles, such as would have been necessary to enable him to make, to any considerable extent, a beneficial use of it. He opposed the Grenville Act; he opposed the Irish Union: Pitt, or any-

† The letter is dated—Bombay, 9th Dec. 1806,—and is as follows:—

"If Dr Parr prevails, I will never return to Great Britain. I have too much respect for myself, and too much love and reverence for my country, ever to endure life in England on sufferance, or as the subject of suspicion to those who ought to esteem me. I cannot indeed remain in this odious place; but the asylum of America will continue open, and perhaps the Emperor of Russia might be led, from our former intercourse, (if I may so call it,) to place me in a situation where I might be of some use, which I have been constantly, but in vain, trying to be here.

"Farewell, my dear Sharp,—Whether I die on the banks of the Volga or the Mississippi, my gloomy moments will be cheered with the recollection that I have been honoured with so much kindness from one of the purest, as well as [most] reasonable and elegant of human minds. I should not venture upon such language if it were not obvious that I am in no mood for compliments."

body else in power, might have made him oppose anything by adopting it. I knew not where to find him,—and if I understand right, no more did anybody else.—He magnified Jurisprudential Law in preference to Statute; (this is a private anecdote that fell within my own knowledge;) an imaginary rule of action in preference to a real one,—the profligacy of a hireling lawyer, without the excuse;—the power of the lawyer is in the uncertainty of the law. Like that of the lawyer, his wish was to see all waters troubled:—why? as feeling himself, in so superior a degree, a master of the art of fishing in them.

“Since your leaving England, three opportunities of being made known to him presented themselves to me: two by relatives of his when he was in the zenith of his power, were often expressed, or implied;—I closed with neither. Had he had anything to say to me, I would have heard it, with the respect due to his character:—having, on my part, nothing to say to him, I should have considered the time spent in his company, as so much time thrown away.* Dr Parr, in his kindness, under the notion, I suppose, of doing me a service, took pains to throw me in his way, or draw down upon me the light of his countenance. He seemed disappointed at observing me as indifferent to his living idols as Shadrach and Meshech were to the golden one of Nebuchadnezzar. Had I seen any opening for entertaining any such expectations from him in respect of the cleansing the Augean Stable, as I should from you, if you were in his place, I would have cried, Lord! Lord! till he had been tired of hearing me.

“When I saw you enlisted in the defence of a castle of straw, which I had turned my back upon as fit for nothing but the fire, I beheld with regret what appeared to me a waste of talents so unprofitably employed.

“When I heard of your being occupied in teaching the anatomy and physiology of two chimeras, the same sensation was again repeated. A crowd of admiring auditors of all ranks,—and what

was it they wished for or expected? Each of them, some addition to the stock of sophisms which each of them had been able to mount by his own genius, or pick up by his own industry, in readiness to be employed in the service of right or wrong, whichever happened to be the first to present the retaining fee.

“‘There he is,’ said George Wilson to me, one day, pointing out to me the Lecturer; (*pulchrum est digito monstraria.*)

“To Wilson I said nothing;—to myself I said—‘There or anywhere he may be—what is he to me? What he does—if anything, is mischief? What if he be Jupiter? So much the worse:—*νεφεληγερέτα Ζεὺς*; the cloud-compelling Jupiter, heaping clouds on clouds. When I pray, it is with Ajax, for clear daylight: smoke I abhor, and not the less for its being illuminated with flashes.’

“Wilson gave it once as his opinion, that I ought to be acquainted with the lecturer: I did not contradict him, but my opinion was not the same. Thus stood matters, as between the man with a name, and the man without a name, when two connected reports happened to reach the ears of anonymous at the same time: viz., that Cicero had got a provision which, for the first time in his life, would enable him to do real service to mankind, and that he had always manifested dispositions to apply his talents to that use. Then, for the first time, began the hermit of Queen Square Place to think of the man of eloquence with pleasure. You remember what ensued.”

BENTHAM TO LORD ST HELENS.

“Q. S. P., 4th January, 1808.

“MY LORD,—On speaking, t’other day, with a common friend of your lordship’s and mine, on the subject of an as yet unpublished tract, on the subject of the Scotch Judicature Reform—‘I was mentioning it, (says he,) to Lord St Helens, who thereupon took notice that you had not sent him one.’ Ambitious of construing the remark in my own favour, I herewith take the liberty of supplying the omission, if such it was.

“Before the week is at an end, I hope to be able to take the further liberty of

* See above, p. 62.

submitting to your Lordship, as well as to every other lord of parliament, a closely-printed sheet, containing a summary view of a Plan of a Judicatory, under the name of the Court of Lords' Delegates,* for making that branch of the legislature, in imitation of the king, to administer by other hands, (parts of its own not excluded,) that justice which, for such a length of time it has been confessedly unable to render by its own. The plan has had the benefit of a revisal from the friends whom you may imagine.

"All this, even this all, might, without loss, have been spared. But the fact is, that I stood in need of a *quid pro quo*: and that the article herewith sent, how small soever may be its value, is consigned to your lordship upon a commercial adventure. Your lordship used, in former days at least, to be a frequent attendant on Privy Councils. I remember your speaking of some occurrences that had passed on some of those occasions. For the purpose of a table that I am constructing—a *Table of Scales of Jurisdiction*—I stand in need of a fact known to everybody but myself, in relation to the *actual* (in contradistinction to the *formal*) composition of those Judicatories.

"I understand from an intelligent friend, that however it may be in point of *right*, in point of *fact* it is not usual for any member of the Privy Council to attend on any judicial occasion on which he has not received a special summons. This, of course, places the judicatory of the Privy Council *pro tanto* upon a footing with the Court of King's Delegates: the members of the judicatory nominated on each occasion *pro hac vice*. If so, then comes the question—by *whom* nominated? The King's Delegates are nominated by the Lord Chancellor, viz. under two statutes of the 24th and 25th of Henry VIII.: here, then, there can be no secret. By parity of reason, there should be as little of a secret about the actual nomination of the King's Delegates in the case where they are taken exclusively out of that Privy Council.

"The summonses that are sent round

—are they signed by the President? If so, he may then be fairly considered as Chancellor in that behalf, sitting *before the curtain*. Are they signed only by a clerk, by order of the Board? Then the Chancellor, who sits *ad hoc*, sits *behind the curtain*.

"One of these summonses, if your lordship happens to have any one of those papers unburnt, and that any servant could lay his hands on, would, in this case, if transmitted to this your petitioner, render unnecessary any further trouble; if not, then it is that he is reduced to the necessity of begging the favour of a line in answer, presuming that the communication of a matter of fact known to everybody but the hermit of the hermitage above-mentioned, would not be a breach of a Privy Councillor's oath.—Believe me to be, with great respect," &c., &c.

LORD ST HELENS TO BENTHAM.

"Windsor, 5th January, 1808.

"MY DEAR SIR,—I have just had the pleasure of receiving your note of yesterday; and though your accompanying Tract on Scotch Judicature has not yet been forwarded to me, I can safely acknowledge myself as highly obliged to you for it, as well as for your promised plan for remedying the no less lamentable deficiencies of our own Supreme Court of Appeal.

"I am afraid that what I can communicate respecting the formation and proceedings of the judicial committees of council, will be of little worth. However, I will set down all I can state from my own knowledge. Whatever the right may be, certain it is, that in point of practice, no Privy Councillor attends those committees without a special invitation; the form of which is a printed slip of paper, *without any signature*, specifying that a committee of council will be held at the Cock-pit council-chamber on such a day, for such a purpose, at which *your* attendance is requested; and on the back of this paper, is written the name of the person at whose house it is to be left. These summonses are sent by the clerk of the council in waiting, under the direction

* Vide Works, vol. v. p. 55.

of the Lord President, through whose means the office is furnished with a list of the very few councillors whom he has been able to engage to undertake, occasionally, this tiresome duty. These committees are of two sorts: one for deciding appeals from the plantations, and the other for appeals from the Admiralty and Vice-admiralty courts; and both ought, in strictness, to consist of five members; but, from the difficulty of procuring a sufficient number, it has been held of late that three are sufficient. Of these, one is always an eminent law-officer; and, during the period of my attendance, this duty used to be undertaken, in the committees of appeal from the plantations, by the Chief Justice of the Common Pleas; and in those of prize appeal, by the Master of the Rolls, assisted by Sir William Wynne: but the attendance of none of these legal men was ever considered as obligatory, or in any other light than as an accommodation to Government; and accordingly I recollect that, not very long since, a Master of the Rolls withdrew himself entirely from the courts of prize appeal, in consequence of his being politically at variance with the minister of the day. From this description of the said committees, I think you will clearly infer, 1st. That they stand in need of much the same sort of alteration as you would wish to suggest for the judicature of the House of Lords; and 2nd, that the members composing them, can fairly claim no higher title than that of occasional make-shifts: since the above-described summonses cannot certainly be supposed to constitute any special *delegation*; and, indeed, it frequently happens, that they are sent half over the town, without any direction on the back, in quest of any Privy Councillor whom the messenger may chance to find at home and disengaged.* It is observable, too, that the form of these summonses is precisely the same (with the omission of the word

committee) as those which are used for assembling those councils at which the king himself usually presides.

"You will be glad to hear that his Majesty is in perfect health, saving the dimness of his eye-sight, which, however, has not impaired his cheerfulness, nor incapacitated him from taking his usual exercise.

"Repeating my sincerest thanks for your very kind remembrances, I am, my dear Sir, most faithfully yours."

The following is an answer to an inquiry as to reversals of decisions in the House of Lords:—

MR WHISHAW TO BENTHAM.

"January 8, 1808.

"One of the reversals in 1806 was the order of Lord Eldon, by which he confirmed Master Ord's report, appointing Lord Henry Seymour and Lord Easton, guardians of Miss Seymour, the amiable infant in whose welfare the Prince of Wales took so lively an interest. The attendance in the House of Lords on this occasion was greater than was ever known—greater even than upon the discussion, some years ago, relative to the first day of partridge-shooting. It deserves also to be recollected, in discussing the *judicial* merits of this great tribunal, that the reversal in question, the acquittal of Lord Melville, and the overruling of their own decision on the case of Judge Fox—all of them took place in the course of a few weeks.

"Of the other reversals in 1806 and 1807, I have no recollection, but I do not apprehend they were in appeals from the Court of Chancery,—such reversals being so rare, that one would hardly have failed to hear of them.

"The reversals in 1797 and 1798 were, I am pretty sure, upon appeals from the Exchequer—one of them relating to an issue in a tithe cause, the other in a cause of *Jones v. Martin*, concerning which, see 3, Anstruther, 882, and 5, Vesey, junior, 266, note."

A letter from Romilly (January 24) has this passage:—

* The state of matters here described, has been considerably amended by the Act 3 & 4 William IV. c. 41, which appointed certain members of the council, holding, or who have held judicial offices, to form a court, called the Judicial Committee of the Privy Council.

"I overheard Lord Grenville yesterday speaking in praise of your projected Court of Appeal, which, he said, he thought very ingenious: he asked Erskine if you had sent it him, as, it seems, from his answer, that you have not; I think you certainly should send it him."

In answer to a letter of Bentham, (of which I find no copy,) addressed to Romilly, requesting him to lay before the House of Commons a proposal, on the part of Bentham, to prepare gratuitously a Code of Law for Scotland—Romilly writes:—

SIR SAMUEL ROMILLY TO BENTHAM.

"You will, I hope, think me excusable, knowing what I have to do, that I have been so long in answering your letter, which, though in 12mo, is a volume of 26 pages. You have not convinced me. You are greatly mistaken, however, when you suppose that I may fear that my power of being useful will in any degree be diminished by having my name coupled with yours. I have no such apprehension; but I do apprehend, that both your and my power of doing any good, will be very much lessened by taking a step totally different from the usual course of parliamentary proceedings, and which will afford a pretext for that ridicule with which many persons would be glad to cover us both. You seem to think that it is no uncommon thing that any good citizen who has a project which, in his judgment, will be beneficial to the public, should desire that his project may be laid on the table of either House of Parliament. That is exactly what I believe was never done yet. Petitions complaining of grievances are laid on the table of the House, but as to plans for the public advantage, they must be the subject of some specific motion—they may be referred to committees, but it must be by some member proposing that they should be the subject of a law, or of some public proceeding.

"That the measure is not a job—that you are willing to sacrifice your time and labour for the good of the public, which ought to be the strongest recom-

mendation of what would be proposed, would (such is the temper, and such the principles of the House of Commons) afford a strong objection to it, and give an opening to much ridicule. The thing would, in itself, be absolutely incredible.

"You suppose that I wish to discourage your design altogether—that is really not exactly the case, though I own I have doubts whether your time would not be much more usefully employed on your book on Evidence.

"If anybody can execute such an enterprise as you project, (being ignorant, when he sets out, of Scotch Law,) I believe it is you; but I do doubt whether even you can execute it."

COLONEL BURR.

"I was brought acquainted," said Bentham, "with Colonel Aaron Burr thus: He had given a general order to a bookseller to forward whatever works I should publish. I was then very little known. This was good evidence of analogy between his ideas and mine. He came here expecting this government to assist his endeavours in Mexico; but the government had just then made up their quarrel with Spain. We met: he was pregnant with interesting facts. He gave me hundreds of particulars respecting Washington. In those days, I used to go to Oxstead, where there is a handsome gentleman's house called Barrow Green, which was occupied by Koe's eldest brother. Burr went there with me; and once when I went to Barrow Green, I lent him my house in Queen Square Place. He meant really to make himself Emperor of Mexico. He told me, I should be the legislator, and he would send a ship of war for me. He gave me an account of his duel with Hamilton. He was sure of being able to kill him: so I thought it little better than a murder. He seemed to be a man of prodigious intrepidity; and if his project had failed in Mexico, he meant to set up for a monarch in the United States. He said, the Mexicans would all follow, like a flock of sheep."

Dumont thus speaks of Colonel Burr:—

DUMONT TO BENTHAM.

(Translation.)

"I have met with a person in London enjoying a celebrity which is somewhat embarrassing to him, and from which he has retreated into a capital, two thousand leagues from his home. This is Mr Edward in England; in America, it was Mr Burr. We met at dinner,—acquaintance was soon established between us; and as soon as he heard me named, he inquired with an air of surprise and of satisfaction, if I were the person to whom he was indebted for his acquaintance with the writings of Bentham. He had read 'Principles' and 'Usury;' and as soon as he saw the announcement at Paris, had sent for sundry copies. He spoke of them with the strongest admiration,—said they were the only works on legislation where there was philosophical method: that compared to these, Montesquieu's writings were trifling, &c. He added, that, in spite of his recommendations, they were little read in America, where anything requiring studious application is neglected. Nobody but Gallatin had felt all their merit, and Gallatin was the best head in the United States. Mr Burr was anxiously desirous of knowing the author,—of passing a day with him: this, said he, would be a satisfaction for the rest of his life. He passes all the autumn in England, but does not know how long beyond. If you are disposed to receive him, whether in town or country, let me give him the happy news, and I think you will not be sorry you have seen him. You may tell me, his duel with Hamilton was a savage affair; but he has no desire whatever to break your head.

* * * *

"I hope you are as much a Spaniard as I am. Lord Grenville is not a Spaniard at all: he has no hopes whatever of success."

On the receipt of this letter, Burr was invited to Barrow Green, where Bentham was then staying; and great was his joy on receiving the invitation. Bentham desired a horse to be sent for his accommodation; but Burr had provided a horse of his own.

Lord Holland and Dumont, took no small trouble, in 1808, to give to the Spanish Cortes the benefit of Bentham's counsels for the direction of their debates. Lord Henry Petty had sent to them the pamphlet on the practice of the British Parliament, which Romilly had prepared for the use of the Committee of the National Assembly of France;* but as it did not contain a *rationale*, it was thought less likely to be useful than the Political Tactics which presented *reasons* for the arrangements proposed. Lord H. Petty suggested the republication of Bentham's *Tactique* in Cadiz; but Dumont was unwilling to risk the innumerable *errata* to which it would be exposed there. But the fair prospects of Spain, and the hopes of contributing to the establishment of freedom and good government in that country, had almost decided Bentham to depart without delay for the seat of the Spanish government.

Dumont writes to him (29th August, 1808):—

DUMONT TO BENTHAM.

(Translation.)

"I was thinking—yes! I was thinking about it—but the idea was not ripe. I wanted to talk it over with Lord Holland, who is expected here to-morrow, and who may suggest something either with regard to the *fond* or to the *forme*, or to the means; and his recommendation may go far with the Spanish Deputies, or the literary men of Spain. Since the *Principes* are known and circulated there—the plank is made—and the younger may walk on it under the protection of the elder. I spoke to Lord H. about it; and as a great part of the work was done in Holland House, and especially the Introduction, in which I have recorded some facts connected with the National Assembly, I proposed, with his permission, to date it from the place where it was created—that circumstance would not be without utility in Spain; but I must revise the MS. Eight years have passed since it was written. We must ascertain if it

* See above, p. 212.

could not be made more directly applicable to the Cortes—whether the preface should not be *Spaniardized*—the Spaniards somewhat caressed—or whether it should not be made altogether a work of philosophic abstraction, without regard to any particular country, or any particular form of government. I must bring to it the impartiality which belongs to a forgotten work.

* * * * *

“I remember, that in a special chapter you attack the system of *two* deliberative chambers. My observations in France have not brought me to the same conclusion. I added a chapter in favour of the division of the Legislative body, and I think the balance was on the side of *two* Chambers; but for the Cortes, the question is of less importance. They make but one Assembly, where all the Deputies vote together.”

There are multitudes of Colonel Burr's letters to Bentham. From them I will give a few extracts, characteristic of his style and character:—

COL. AARON BURR TO BENTHAM.

“22d August, 1808.

“It has been my misfortune to attract the notice of Lord Hawkesbury. On my arrival in town last evening, a note from that department was found at my lodgings, dated on Thursday last, *requesting* my attendance on the day then following at the office of the Secretary of State. I shall, therefore, as in duty bound, advise his lordship, or his man Beckett, of my arrival, and of my readiness to lend a gracious ear to their future *requests*. This business, whatever it may be, (and I have a presentiment that it is for no good, having no business with that department, nor desiring ever to have any,) will unavoidably detain me to-morrow, and very likely the next day, of which I hasten to give you this notice.

“I called last evening at the Bird Cage, (a most beautiful cage, and from which one would never wish to escape,) and handed your note to Mrs S., the housekeeper. Her reception gave me the most flattering testimony of the

very friendly tenor of your instructions to her.

“The Hawkesbury affair turned out to be—just nothing. If no other dignified personage should honour me with his notice, I shall dine with you on Wednesday.”

“2d September, 1808.

“I found, readily, the letters to Lord Pelham, and the Plea for the Constitution, and have read them with very great interest: but it gave me a fever to see by what sort of reasons the ‘project’ was defeated—the particular items, indeed, do not appear, yet the nature of those *reasons* is sufficiently manifest. These letters are a gross libel on the Government; and if you had developed the details, I think it probable you would have made a practical experiment on the doctrines of Pitt and Portland, by a voyage to New South Wales. I am resolved that the Panopticon shall be known in America.”

“12th September, 1808.

“New cause of delay! Gods, how weary I am of delays! My soul is with you at Barrow Green, and the mortal part of me would follow it, if not kept back by violence—but can I, ought I to disappoint poor Swartwout? On my return from Hampstead, I found here a letter from him written at Liverpool, whither I had sent him to do something for himself, seeing no prospect that I should be able to do anything for him. This is that Swartwout who was seized, robbed, transported two thousand miles, immured in a *solitary* prison, denied the use of pen, ink, and paper—denied a Hab. Corp.—not allowed to speak with a human being,—and all on *suspicion* of being connected with one who was *suspected* of an *intention* to commit a crime; this he bore with something more dignified than mere passive firmness. This Swartwout writes—but here is the letter—read, and pronounce—(my apotheosis is now put off, till Thursday, certain,) *the influence of your name!* He too must be mad—but then, as I am the leading cause of it, he has claims to my indulgence.”

"Q. S. P., 1st October, 1808.

"The history of my late visit to Hertford must be reserved till we meet. It will afford you some moments of amusement; the stock will be greatly increased by the experience of the approaching week, for Lord Barrington has proposed various objects of amusement; yet, shall I confess to you? these very *recreations*, to me, are labour. I participate with coldness—all I say is weighed, and generally forced. There is, indeed, some gratification of curiosity, and a slight hope that new channels of communication and of influence may be discovered."

"Q. S. P., 4th October, 1808.

"This day (yesterday, Monday meaning) meeting *your* friend, Reeves, (in whose holy keeping I am, by appointment of the Right Honourable Lord Hawkesbury, &c.,) he gave me a most friendly and affectionate reception—prayed me to dine, which was accepted—met there Mr and Mrs Brown, who have been much in Russia, and Chalmers—(do you hear me?)—all very social—very happy to know Mr B—!

"It is nevertheless, my dear friend, but too obvious that I am a mere encumbrance here, and ought to be gone; yet the attempt proposed shall be made, humiliating and hopeless as it is. Thus I shall, at least, escape the reproaches of my friends, and what is of more moment, my own.—God preserve you.

A. B."

An amusing account of his adventures, in a journey to several towns in England, I give entire:—

"21st December, 1808.

"The adventures of Gilblass Mohsagungkde Manhattan. Wednesday evening, 21st December, A.D. 1808.—In a garret at the Black Lion, Water Lane, London. Having made half a dinner at Q. S. P., drove off furiously to the White Horse, Piccadilly, to be in time for the Oxford stage. Having waited half hour, and coach not come, the weather *cool*, went in to warm—having warmed half hour, awondering at the delay, went out to see—the coach had been gone twenty minutes. My honest

coachman, as well to be sheltered from the storm, as for repose, had got inside, and was sound asleep. Drove to the Gloucester Coffee-house to take the mail—was advised to go the Golden something, Charing Cross—thither went, the mail was full inside and out—thence to the Saracen's Head—thence back to the Ship—same report—to Fetter Lane—coach full—to the Black Lion, Water Lane, Fleet—full inside and out—to the Old Crown, Holborn—no coach there till Friday—to the Bolt-in-Tun—where found seat in a coach to go at seven tomorrow—but no bed to be had. Went to the nearest inn, being the same Black Lion, where I am occupant of a garret room up four pair of stairs, and a very dirty bed. In the public room, however, I have been amused for an hour with a very handsome young Dane—don't smile—it is a mule—a merchant. I would have slept on the porch, or walked the street all night, sooner than have returned to Q. S. P.—coach hire, nine shillings.

"Oxford, Thursday evening, 22d December.—Was called at six to be ready for the coach at seven—gave my baggage to a porter, but having stopt a minute to make change, he got out of my sight. I missed the way, and when I got to the Bolt-in-Tun, the coach had gone—my passage, 21s. having been paid in the evening, there was no inducement to wait for me—pursued, and had the good fortune to overtake the coach—found in it one man. Having preserved perfect silence for a few minutes, by way of experiment, I remarked that the day was very mild, which he denied flatly, and in a tone and manner as if he would have bit me. I laughed out heartily, and very kindly inquired into his morning's adventures. He was old, gouty, very fat. No hack being to be had at that early hour, or, what is more probable, choosing to save the shilling, he had walked from his house to the inn—had fallen twice—got wet and bruised, and was very sure that he should be laid up with the gout for six months. I sympathized with his misfortunes, wondered at the complacency with which he bore them, and joined him in cursing the weather, the streets, and the hack-

ney coachmen. He became complacent and talkative—such is John Bull. We took in another fat man, a woman still fatter, and a boy—afterwards a very pretty, graceful, arch-looking girl about eighteen, going on a visit to her aunt Lady W—. But Mademoiselle was reserved and distant. At the first change of horses, she agreed to take breakfast, which we did *tête-à-tête*—was charmed to find her all animation, gaiety, ease, badinage. By the aid of drink to the coachman, our companions were kept three-quarters of an hour cooling in the coach—they had breakfasted when we joined them; the reserve of my little Syren returned—after various fruitless essays, and at first without suspecting the cause, finding it impossible to provoke anything beyond a cold monosyllable. I composed myself to sleep, and slept soundly about eight hours between London and this place, where we arrived at eight this evening: (there must be something narcotic in the air of this island,—I have slept more during my six months' residence in Great Britain than in any preceding three years of my life, since the age of 14); took leave of my little Spartana.—Mem: To write an essay, historical and critical, on the education and treatment of women in England—its influence on morals and happiness.

“Thinking it too late to call on Mr *Provvust*, (your instructions are not lost on me,) I wrote him a *polite* note, enclosing the letter, and proposing to see him in the morning, to which a *polite* answer was received.

“*Oxford, 23d December (Friday.)*

“I was received with the distinction due to such a letter. His manner is mild, cheerful, and courteous. He engaged me to dine, and sent for a young '*fellow*' who went with me through all the great buildings, and showed me all the strange things. Many of those for which I inquired he had never before heard of. Everything here is for ostentation, and nothing for use. A manuscript of Horne's Mirror was shown me, but evidently modern—a hand-writing much like our K's. The librarian acknow-

ledged it was but a copy, and professed no knowledge of the original. The bust of Aristotle has a forehead very like yours. We were more than three hours traversing the various buildings—I was much gratified—my poor conductor nearly frozen.

“Two plump, hale '*Fellows*' joined us at dinner. Study and abstinence had not yet impaired their rosy complexions; all in canonicals. The dinner was excellent, and well served. The details of the conversation shall amuse you at another time, and they cannot be written. A few hints may serve as memoranda—'*I would rather our friend B. should write on Legislation than on Morals! Holy father! if ever one of thy creatures was endowed with benevolence without alloy,*' &c. All this was admitted; and the expression was qualified, and qualified, till finally it settled on the single point of *divorce*, and Hume was quoted.

“By mutual consent, Divine authority was laid aside, and I made a speech, which was very silly, for I ought to have turned it off with levity.

“‘The *innate* sense of religion.’—‘The most barbarous nations have some religion.’—Has it not a great influence on your Indians?!—We then got on American politics,—statistics, geography, laws, &c.,—and on all which a most profound and learned ignorance was displayed.—The evening wound up pleasantly, and we parted with many expressions of courtesy.—He appears to be of cheerful temper and amiable disposition.—Yet, though he speaks of you with reverence, and probably prays for you, I presume that he thinks you will be eternally damned; and I have no doubt he expects to be lolling in Abraham's bosom, with great complacency hearing you sing out for a drop of water.—Such is the mild genius of our holy religion!

“Brummiggem, (though, indeed, I have several times heard it called Birmingham,) Saturday evening, 24th December. Left Oxford at seven this morning.—We were four inside,—the only article of any interest was a smart little comely brunette, who had been

through Blenheim castle, and all the other places of note within twenty miles,—could describe all the pictures and statues, had read all the fashionable novels and poetry, and seemed to know everybody and everything.—I was never more at a loss in which rank of beings to class her, but was very much amused.—At twenty miles, we put her down at a very respectable farm-house,—I handed her in,—was introduced to her aunt,—‘My dear aunt, this gentleman has been extremely polite to me, on the road.’—I received from aunt and niece a very warm invitation to call on my return, which I very faithfully promised to do, whensoever, &c.—If, &c.—At Stratford, where lie the bones of Shakspeare, the bar-maid gave me a very detailed account of the jubilee in honour of his memory. At about twenty miles further, was pointed out a very handsome establishment of Sir ——— Smith, *dit frère de* Me Fitzherbert. For the last forty or fifty miles, we had on board, a strange, vulgar-looking fellow, who had been all over the world,—spoke Latin, French, and Spanish,—and in the course of three hours told me more than a hundred lies, probably some itinerant Irish school-master.

“The market-place and the principal street adjoining to which I am set down, is full of people, tents, booths, camps, candles, fiddlers, pipers, horns. Having nothing to amuse me within, I shall sally forth to see what is going forward without. But, first, I have taken passage for Liverpool, to set off at half-past eleven, being advised that there is no other way to get on,—very much against my will, therefore, I go to Liverpool. We shall, from appearances, make a lively party. At this hour to-morrow I may have something more amusing to say. Now I go.

“Twelve o’clock—Still at Birmingham—full of contrition and remorse—lost my passage—lost (or spent) 28s. and a pair of gloves—every bed in the house engaged—no hope of getting on but by the mail at seven to-morrow morning. The office shut, and no passage to be taken to-night. What business had I to go sauntering about the

streets of a strange place alone and unarmed on Christmas Eve? Truly I want a guardian more than at fifteen. It was K.’s fault that I left my dirk, and I could choke him for it. I have often heard that great sinners have relieved their consciences by full confession—let me try:—I sallied forth—there were hundreds of smartly dressed folks of all sexes and ages in little groups, and very gay; I joined one party, and then another and another,—at length I got so well suited with a *couple*, that we agreed to walk and see the town, and there repose a little out of the street. You know that I have always had a passion for certain branches of natural history,—these appeared to me to be very fit subjects for examination; and even now, under all the horrors of remorse, I must acknowledge that it was a most instructive, and, bating one cursed rencontre which had nearly ended in a riot, a most amusing lesson. Hence it would seem that all this penitence is for the four 7s., and not for the folly—on which a very good theological discourse might be written. The subject shall be recommended to our friend the provost. Indeed, I was very much amused; I heard many amusing anecdotes of the grandees of the town, and fine, strange, and pretty things. At this moment it comes into my head how to redeem this 28s.: it shall be done, and then peace of conscience will be restored.

“I will take passage outside—half price only, I am resolved, and you shall see how I execute.

“Mem.—Lo! the value of repentance: for another 7s. I have got a *bed*—a thing not wanted for me.”

Burr sketched briefly the character of his three principal friends in the State of New York, thus:—

“William P. Van Ness, Kinderhook, aristocrat, aged 30—austere, not eloquent.

“John Duer, Goshen, Orange County, 26—classical, good writer, mild, will be eloquent.

“John V. N. Yates, Albany, 28—managing man, eloquent, firm, active, bold, generous.”

The Dean and Chapter of Litchfield, supposing that Bishop Bentham* was an ancestor of Bentham, applied to him for ten guineas to enable them to blazon the Bishop's arms on the stained glass window of their cathedral; but I believe the letter was never answered. Bentham cared little about ancestry, and less (if possible) about his own ancestors.

Burr seems to have undertaken to attempt bringing round some leading Spaniard (probably Urejo,) to advocate the introduction of a good system of debating in the Cortes,—but he failed, and writes thus (Sept. 1, 1808):—

COLONEL BURR TO BENTHAM.

“There is no longer a hope of the patronage, nor even of the good will of the *Don*, for any improvement in political tactics,—the horrors of innovation have invaded him. ‘*The Cortes must, and ought to, and will, proceed in its own way, and according to its ancient usages,—the attempt to instruct it by the example of foreign assemblies, especially of any so highly tainted with democratic infection as those of France at one time, and of England at all times, would be odious and alarming, &c., &c., &c.*’

“It is a task (one would think) of no great difficulty, to discriminate between the forms which preserve decorum, add dignity, and facilitate the attainment of an *end*, and those changes in principle which may either impair or extend the power, or vary the objects of an institution,—if similar apprehensions should, in like manner, obstruct their improvement in *Military Tactics*, (and they would be equally well-founded,) God help the patriots of Spain.—The truth is, my *friend* has an interest, a deep, imperious, personal interest in the perpetuation of abuses.—How would you reason against fifty thousand dollars per annum?—Only by holding out the prospect of 100 M.,—which I believe neither you nor I can do *just now*. Les Commissaires will, nevertheless, it is hoped, be free from the influence, if not wholly

from the prejudices which encumber this new patriot.”

DUMONT TO BENTHAM.

(Translation.)

“March,—march,—full gallop,—à *bride abutte, ventre à terre*. Quit everything,—abandon friends,—business,—engagements,—pleasures.—What! Not yet set out! Talk,—selfish,—unworthy disciple of such a master!

“Instead of putting pepper into your tail, it has put poppies into your cup,—There is your phrase, my dear philosopher! and mine is but the commentary.—How happy to be so young, with the brightest hopes,—to conceive, to execute a project in an instant. Alas! Frenchmen have added four score to my years. My hopes are so feeble that they will not let me move one step an hour.

“But here is a rarity. A book written by an Englishman; edited, abridged, lengthened by a Genevese; invested with notes by a Vice-president of the United States; translated and commented on by a noble Spaniard, ex-minister, &c. What a sensation such a book *must* make. What a goodly company! In Spain everybody has a long *kyrielle* of godfathers and patrons,—so should books. Four are not enough. We will have, then, more. One with a commendatory preface,—another with an apologetical postscript,—a third with a commentary on the commentaries.

“I have observed,—it is an old observation of mine,—that no political assembly adopts a printed project,—or adopts ideas to which publicity has been given,—I mean textually and in mass. They nominate a committee.—Will that committee adopt a work already written,—a foreign work?—Will they commit a suicide?—a suicide of reputation.—Will they declare themselves null,—inept,—incapable?—O, no! Individual self-love,—national self-love, forbid it.

“To succeed, it would be necessary to know some distinguished member of the Cortes, to deliver the *Tactique* to him, and say, ‘Here are regulations all ready,—and the reasons too. Do with them what you can.—Take the honour,—give the glory to your committee. It is your

* Thomas Bentham, of Magdalene College, Oxford, Bishop of Litchfield from 1559 to 1578.

affair. Assemblies are proud beggars, on whom our alms must be forced. The evangelical precept of secrecy, is more necessary towards the poor in mind, than the indigent in fortune: the hands that aid them must be hidden."

* * * * *

"A translation which should bear the name of the author only, would be of great importance. There is a resistance to the domination of authority. If a Spanish translator had celebrity, he would have enemies. His name would create prejudices. Mirabeau presented the MS. on Parliamentary Proceedings, which Romilly furnished to the committee of the National Assembly,—and I do not doubt that the prejudices against Mirabeau were the cause of its cold reception."

" 30 Sept.

"Urejo makes the same objection as I did, on the danger of celebrated names. You are too eager,—all of you.—I have lead in my brains,—poking will not make me go faster. Scamper on, if you like,—only do not expect me to be scampering with you.—I shall move on in my peaceful way.—Do not let me be blamed,—I travel *en solo*, or, if you will, *en Desobligeante*."

Bentham, in consequence of his communications with Colonel Burr, seemed seriously resolved on taking up his abode for some years on the Table Land of Mexico. This letter to Lord Holland gives a curious account of his motives and his projects:—

BENTHAM TO LORD HOLLAND.

" Queen Square Place, Westminster,
" 31st October, 1808.

"MY LORD,—Your lordship little expected to be intruded upon by a letter from the undersigned, still less on the subject which gives occasion to it. He flatters himself with the idea of being not altogether unknown in your lordship's circle, in his character of a quiet, pains-taking, inoffensive recluse, in whom though no man has a companion, every man has a friend, and who, though an Englishman by birth, is a citizen of the world by naturalization. The *Defence of Usury* was planned and conducted at

a sequestered villa in the neighbourhood of Crichoff, a town on the river Soje, in the Government of Moghilev, in White Russia. A fancy has taken him for defending something else as bad, or doing something else as whimsical, and with equal privacy, and to as little purpose, in some equally sequestered situation in the neighbourhood, if it be practicable, of the city of *Mexico*. And now, my lord, your lordship sees, by anticipation, the substance of what it remains for me to write. The case is, that, though upon the whole, considering my time of life, I have no great reason to complain on the score of health, I have some little infirmities against which Providence seems to have pointed out the *table-land* of that country as a place of refuge. For upwards of half a year, I feel myself so pinched by the cold of our English winters, that a great part of the time that would otherwise be employed in driving the quill, is consumed in thinking of the cold, and endeavouring, but in vain, to keep off that unpleasant sensation without bringing on worse. But is there no heat in fire? Yes: but as it comes from our English fire-places, such is the heat, as neither my eyes, nor other parts about me, are able to endure. Between eyes and feet, perpetual quarrel about heat: feet never can have enough, eyes never little enough—a new edition of the old parable of the members. Mexico, from a variety of authorities, private as well as public, I have learnt to consider as affording a climate, by which all such differences would be kept at rest. Temperature just what anybody pleases. If you want it warmer, you go *down* a few hundred yards: if cooler, you go *up*. In the capital itself, never higher than 84: average duration of human life one-third longer, compared with a healthy situation (I do not remember exactly what) in Europe. Such is said to be the power of the two antagonizing, but harmonizing, and mutually regulating circumstances, altitude of the sun above the horizon, and ditto of the earth's surface above the sea.

"*Explicit*, Sect. 1, concerning the *end* in view: *incipit*, Sect. 2, concerning means for the accomplishment thereof.

“ Upon my brother's return from Russia, he brought me as a present from Admiral Mordvinoff, a copy of a French translation, that had been made and printed at Petersburg, of the far-famed work of Don G. M. Jovellanos, (*‘ci-devant Ministre de Grace et Justice’*—as per title-page) *‘Identité de l'intérêt général avec l'intérêt individuel,’* &c.—anno 1806. *Traducteur*, as per dedication, a *M. Rouvier*. Patron—Count Kotchubey, the Minister of the Interior, by whose order the translation appears to have been performed: the same by whose order one of the two Russian translations that have been made of *Dumont's* book, was also made.

“ Mordvinoff must have been more or less known to your lordship, as having been the immediate predecessor of the present minister Tchichagoff, in the direction of the Marine. After his relinquishment of that post, he became the head of a sort of *opposition*, such as Russian government admits of, and in that quality was elected commander of the noblesse at Moscow, that volunteered on the occasion of the war with Buonaparte.

“ Amongst his oddities, is that of being a sort of sectator of the old hermit of Queen Square Place: the future effusions of whose dotage, be they what they may, he has offered to get translated into Russ: and observing the principle of *laissez nous faire*, applied, in the *Defence of Usury*, to the case of *contracts concerning money*, it occurred to him that the author could not be displeased to see the same principle applied, and so well applied, and by such high and influential authority, to the case of *contracts concerning land*. Since the reascension of this thinking, as well as signing minister, and the mention made of him in the newspapers as the object of the warmest hopes of Spain, my brother having also a copy of his own, great court has, in my absence, been paid to him, by Romilly, George Wilson, and a few other liberal or semi-liberal lawyers, for a sight of it.

“ The basis of my project upon Mexico has now, my lord, for some time been visible to you. Considering that a year

or two ago, (if Dumont's intelligence is to be believed,) about 750 copies of his book had already found their way into Spain and Portugal, it occurred to me that, of one or other of the two translations published in Paris of the *‘Defence of Usury,’* a copy might perhaps have found its way into the hands of Senor Jovellanos: possibly also a copy of Dumont's book, immediately or intermediately, under favour of the protection given to it by Lady Holland, if what her ladyship was pleased to say to me on that head was anything more than *persiflage*. At present the minister's reading days must be over, more completely so than the hermit's, though not, I hope, from the same cause. As far as depends on actual reading, my chance of favour in that quarter must therefore rest on past impressions, if any such have been received, circumstances not admitting of any future ones from the same source.

“ Whether the road to the Mexican capital is, or is about to be open to Englishmen in general, is, by this time, perhaps known to those who know anything, but is altogether unknown to me. If yes, a *recommendation* to the powers that be, in that quarter of the empire, would be a matter not indeed of necessity, but of grace, and of a sort of grace without which, at my time of life, I should not be disposed to go in quest of adventures: if not, besides a *recommendation*, an *authority* or *license* would, if I were to attempt going there, be matter of indispensable necessity. Before Buonaparte had made himself to such a degree master of Spain, *Humboldt*, at any rate, (whether any other Frenchman I know not,) was admitted into Mexico, with the known design of writing what he could learn, and of publishing what he should write.

“ The favour thus granted at that time to a Frenchman,* would it at this time be refused to an Englishman? When *he* went, it was with the known, and, I believe, professed design of writing and publishing the state of the country. Even now, if a man had any such

* Bonpland might have been properly quoted as a Frenchman, but not Humboldt.

design, it does not strike me that there would be any great harm in it: nor, in the present state of things, should I expect to find it an object of apprehension, either on this side of the Atlantic or on the other. But the fact is, that my ambition has never pointed that way, and therefore, if any obligation of that sort were to be made a *condition*, it would cost me nothing to submit to it. In the year and three quarters that I staid in Russia, I wrote nothing of the kind. What I wrote was 'Defence of Usury,' the leading part of 'Panopticon,' other parts of Dumont's book, and I know not what other visions, such as nobody cares a straw about. In the same way I should go on scribbling so long as I had a hand to scribble with, (eyes not serving me for reading,) wherever my hermitage happens to be situated—in Queen's Square Place, or in Mexico.

"Hereupon, my dear lord, besides laying hold of your lordship's patronage, in quality of a ladder of ascent, whereby to climb up to the grace and favour of his highness, Señor Jovellanos, permit me to avail myself of your lordship's trustworthiness in the character of a witness, beseeching you to sign in my favour a sort of certificate, which may be termed a *certificate of harmlessness*. Nobody can have known anything of me without knowing how completely disqualified I have ever been in all points for everything that, in French, is called *intrigue*, or, in English, *politics*. The late Lord Lansdowne would, to the last, have signed a certificate to that effect, I am certain, in the most ample terms. — and —, who cannot but have heard what Lord Lansdowne has so often said, would not refuse to me, on this occasion, the benefit of the best evidence that is to be had, now that our noble friend is no more.

"In the only other Cabinet in which I ever conceived myself to have a friend, and from one member of which, if Dumont did not deceive either me or himself, I received a message as kind and gracious as it was unexpected, there was not one, as your lordship can also attest, that, had he conceived himself to

stand in need of any political assistance, would not as soon have thought of addressing himself to my housekeeper as to me.

"I have dwelt the longer, and the more emphatically, on the desired certificate—the *certificate of nothingness*—in the presumption of its being the very best recommendation that, on a visit to Mexico, a man could carry in his pocket; and, if the form of the allegation is not absolutely of the very gravest kind, in substance, your lordship knows, it is not the less true.

"That *plunder* is of the number of my objects, I cannot but confess. But the matter of plunder will not, in my instance, as in *Dupont's* and *Junot's*, be composed of *crucifixes* and *candlesticks*, but of other and prettier things, such as are treasured up at St Anne's Hill, and valued at Little Holland House.

"*Lady Holland* I stand so much in awe of, and am to such a degree agitated with apprehensions of having fallen into disgrace with her about *Dahlia*, that I feel altogether unable to determine with myself what sort of a *nuzzeer* to approach *her* with. A feather or two from the crown of Montezuma, if there should happen to be such a thing left? In short, here it is that I feel myself a distressed man, not knowing what to say for myself.

"To *Señor Jovellanos* I consider myself as giving a suitable and sufficient bribe, in promising to persevere in support of the principle of *Laissez nous faire*, so long as I have the stump of a pen left; and if *aller* be included in *faire*, and *aller au Mexique* in *aller*, (which, unless my notions of logic be altogether incorrect, must actually be the case,) speaking with respect, I don't see very well how he can consistently avoid supporting my request.

"So far as depends on *your lordship*, I will frankly, however presumptuously, acknowledge I feel myself pretty much at my ease. Everything that, in the shape of *poetry*, has ever issued from any press in either Mexico, old or new, from the death of Guatamozin to the present day, shall be faithfully collected and transmitted to Holland House, there

to be transmuted from Mexican Spanish into elegant English. But, Sir—oh, yes, my lord, I know the difference. *Prose* is where all the lines but the last go on to the margin—poetry is where some of them fall short of it.

“Being pretty much in the habit of sending out my thoughts upon their travels into the region of future contingencies, I foresee already an eventual need of assistance, in the shape of information, from *Mr Allen*,* whose acquaintance with the state of things in Spain and Peru can hardly have been so intimate and comprehensive as it appears to be, without embracing some particulars that it might concern me to be informed of relative to Mexico, and the means and mode of getting thither and living there. But everything of *this* kind is, *as yet*, but reckoning of chickens before they are hatched.

“Here, too, I feel myself not altogether clear of embarrassment, between the fear of not gaining his assistance and the fear of not hitting his taste: should it happen to me to meet with a good picture of the god Vitzliputzli—I mean such a one, of which I could be perfectly assured of its being done from the life, and, at the same time, a faithful and striking likeness, I would send it with my compliments for him to Holland House at a venture. To a scrupulous mind, such a proof would be more satisfactory than any explanation of *pair-royals*, or any argument about *sequences*.

“If Señor Jovellanos has anything in him in common with other statesmen, or with other authors, he would not be displeased to possess a translation of his work, especially a translation made and published at so out-of-the-way a place as Petersburg. Having, as far as can be judged from its date, been out there two years, during the greater part of which time there has, I believe, been a Russian Minister at Madrid, it can hardly be regarded as in the ordinary course of things, that a copy of the translation should not, in some way or other, in all this time, have reached the author's hands. Had the contrary seemed

probable, much as I prize my copy, my brother having another, I should, without staying to ask the question, have taken some course for getting it transmitted to Spain, consigned to your lordship's care. I had even projected a visit to Holland House, with the book in my pocket, when, lo! I was stopped by an article in the *Times*, 19th Oct., 1808, speaking of the noble master thereof, *cum totâ sequela sua*, as being already on the road to Falmouth. But, contrary to expectation, should it happen that the champion of the liberty of agriculture is possessor of no such copy as supposed, mine shall be transmitted to him by the first opportunity that is to be found, after my hearing to that effect: and this upon principles of the most heroic disinterestedness, and although the Minister should have presented to my petition that deaf ear which he cannot but find himself obliged to turn to so many others.

“Except as above, I do not very well understand how there should be a chance of my being able to render myself of use, in any shape, in Mexico or anywhere else, to Señor Jovellanos, or anybody else. But should it happen to him to think otherwise, any services in my power would, of course, be at his command.

“An incident that has presented itself to my view as possible, is a remark of Señor Jovellanos—‘*A recommendation from your lordship does everything that it is in the power of a recommendation to do; but it is too much for me to sign any such paper, still more to apply for its being signed by others, on behalf of a gentleman not personally known to any of us. If it be worth his while to come thus far that we may see him, and ask him a question or two, then will be the time for a YES or a NO to be returned.*’ So far, Señor Jovellanos. Spain is not the country, of all others, for travelling in at any time: still less in winter, in time of war, and such a war! Neither is it the climate of which I am in search. Nevertheless, were this the condition *sine quâ non*, still, though there were but a hope of success at the bottom, it should not be shrunk from.

* Author of the “Inquiry into the Rise and Growth of the Royal Prerogative in England,” &c.

"If there is no access to any Mexican port but from Spain direct, the visit will, on that supposition too, be matter of *physical* necessity. This, however, I should not expect to find to be the case: under the notion that, in the present posture of affairs, it would neither be in the wish, nor in the power of Spain, to keep shut all Mexican ports against all English vessels. But to be let into a port is one thing—to be admitted to travel to the capital 190 miles up the country, is another: and, in a port situated under the torrid zone, I should have no expectation of remaining many days alive. *Vera Cruz* in particular, has the reputation of being one of the most lethiferous.

"To equip me for the enterprize, there are certain favours, which, in my own view of the matter, present themselves as *indispensable*, others as *desirable*.

"I. *Indispensable*—

"1. From some competent authority in Spain, a letter to the Viceroy of Mexico, recommending me to his protection, with an allowance to exist in the capital or its neighbourhood, during good behaviour.

"2. From ditto, a letter to the Governor of La Vera Cruz, for the purpose of engaging him to let me pass on to the capital immediately, without being obliged to stay at Vera Cruz a night, or not at any rate more than one night.

"II. *Desirable*—

"3. Exemption of search for baggage. I should carry with me a little library; and though perfectly determined not to utter a syllable, whereby the Catholic faith might be assailed, or the purity of it sullied, there are but too many of my books that would be more or less in danger of not being able to abide the severity of its scrutiny:—'English Statutes at large'—'Comyn's Digest'—'Bacon's Abridgment'—and an 'Encyclopedia,' for example. Is there any one of these publications that would stand the search of a Catholic inquisitorial eye? Examination may be performed at Mexico: not at La Vera Cruz, where, if I am kept during the process, I should die under it.

"Information, for which I cast my-

self upon two of Mr Allen's attributes—his urbanity, and his omniscience:—

"1. Packet-boats, or other *regular* conveyance to Vera Cruz from Spain? whether any, and from what ports, at what times?

"2. Casual conveyances from ditto to ditto?

"3. Index expurgatorius? whether there be any from which it might be seen what books could not be lawfully imported into Mexico? Wicked books, such as 'Rousseau'—'Helvetius'—'Voltaire'—'Hollis,' &c.; all such *delicta juventutis*, if I had any, I should leave on this side of the Atlantic.

"4. Map of Mexico, if with the roads, so much the better.

"5. Book or books serving to show the expense of travelling and living there: for example, by means of indications given of the articles manufactured in, articles imported into, and exported from Mexico, with their respective prices: together with the prices of the other necessities and conveniences of life—house-rent, servants' wages, assessed taxes, if any, &c.—anything of this sort, would, I suppose, be hopeless, even were a man in Madrid: a place which, perhaps, your lordship may not now revisit. If, however, anything of that sort should be within reach, and if Mr Allen would have the kindness to transmit it to me, with an account of the cost, it should be faithfully and thankfully repaid, to Mr Buonaiuti or any other person he will be pleased to name. Mr Horner makes my mouth water, with general conceptions of statist treasures accumulated by Mr Allen, including (as supposed) much relative to Mexico, but supposed not to be now accessible.

"But the humble request is, that the transmission of any information that may have been obtained concerning things *indispensable* as above, may not be delayed by waiting for ditto in relation to any of the other heads.

"To avoid aggravating, beyond necessity, the burthen thus attempted to be imposed, I have thus far borrowed a less illegible hand, reserving my own for authentication, and for the concurrence of the respectful attachment with which

I have the honour to be, my lord, your lordship's most obedient servant.

"P.S.—Were I to go to Mexico, I should take with me Mr John Herbert Koe, of Lincoln's Inn, (known to—, and to everybody else that knows me,) and, perhaps, if permitted, one or two servants. In the permission, if given, this might, perhaps, be necessary to be mentioned."

From this project, Bentham was ultimately dissuaded by the difficulties of giving effect to it, and by the representations of his friends.

To a gloomy and complaining letter of his cousin Mulford, Bentham replies in this amusing strain:—

BENTHAM TO J. MULFORD.

"Q. S. P., 8th November, 1808.

"By way of compliment to me, I observe you make a point, in all your letters, to come out with a grunt or two: but people who are in the secret, and with whom you deal honestly, speak of you, as confessing that nothing is the matter with you, except that you are not quite so young as you were *ninety* years ago, or thereabouts. I say *ninety*, for this is the age, I hear from very good authority, that you have begun to talk about. I suppose it is by way of insult to poor old Portal, whom you were for burying, I remember, three or four years ago, at the time that you cheated my undertaker, whom I had been at the pains of engaging in your service. He slipped through your fingers at that time: (I mean Portal,) but, according to Mr Koe's report, he looked then to be pretty much in the way in which you pretend to be. There is a report about town, though I have not yet seen it in the newspapers, of your being about to commit matrimony. If you do, you must not think of having my consent; for what if you should happen to tip the perch before all the children are grown up? For my part, I am too old to be capable of taking any tolerable care of them; and Sam, were he to have no more, has enough, of all conscience, of them already.

"The sight of your letter brought on the carpet again, a project he has often

been harping upon, for getting you to accept a clerk's place in his office.* This, however, I oppose: for though, to be sure, your hand is good enough for it, and, to do you justice, goes on improving—yet, as long as I have known you, which does not go beyond sixty years, you have had a turn for idleness and dissipation, which, I fear, would be a great obstacle to that punctuality of attendance which his Majesty's service would require. Then we should have you picking up stones from the gravel walk, and pretending that they came from your own poor body, as *Mary Tofts* used to do with the *rabbits*.

"You talk to me about 'black November and cold December,' and so they really are to me. Yet I do make shift to weather them out; but perceptibly, for some years past, worse and worse every year. What would I not give you, if it were but possible for me to change eyes with you? Reading I have been forced to give up almost entirely. Writing, my grand occupation, I still perform tolerably well in summer time: that is, about four months in the year; but the other eight months' fires, though they burn my eyes almost out of my head, yet are unable to prevent my suffering to such a degree from cold, that the cold takes off my thoughts from everything else.

"This is so true, that I am entertaining serious thoughts of trying the effects of some more favourable climate; and the Spanish Revolution presents itself as favourable to my wishes. The city of Mexico in Spanish America, all accounts, private, as well as public, concur in representing as being, in this respect, the sort of earthly paradise that I stand in need of. Thermometer never higher than 84°; and this last summer I bore 93° without any considerable inconvenience. Frost just perceptible, perhaps for a day or two, comes in three or four years: but, to avoid the cold altogether, you have but to go a few miles *lower* down in the country: for what makes it so cool, though, like the West Indies, situated between the Tropics, is—its

* Sir S. Bentham was employed to conduct several operations in the Portsmouth Dock-yards.

being such high land—two or three miles perpendicular height above the sea; and this, in many places at that height, continued for many miles together, with only here and there the ground rising perceptibly into hills and mountains. Another consequence is, that the *fruits* and *flowers* of all climates may be seen together at one view, flourishing in the utmost perfection; and another, that human life is one-third as long again there, as with us.

“Though many persons speaking the English language, such as Irish (Catholics,) of whom there are many in the Spanish service, have either been established there, or traversed the country freely, no Englishman, it is believed, was ever yet admitted there. What favours my project, is, that a Frenchman or two, during the alliance of Spain with France, were admitted into the capital; and now already, since that Spain is in alliance with England, and stands so much in need of her assistance, English vessels have been admitted into *Vera Cruz*, the only sea-port in the Atlantic, through which there is any access to the capital, distant from it up the country about two hundred miles.

“As to my own particular grounds of expectation, my friend, Lord Holland, who lately passed near two years in Spain, is just gone back to that country,—viz. Corunna,—with his family: he is in habits of intimacy with a number of leading men there, and, in particular, with a Don *Gaspar Jovellanos*, who is an active member of the small body, the *Supreme Junta*, by whom, under the name of the prisoner-king, the country is governed at present with absolute command. One of my works has had a great run, and made a great impression among the higher, and thinking part of the people in Spain. Jovellanos, who had been a much-esteemed minister there, before the present revolution, not many years ago published a book which is very popular there. This book I have just been reading, through the medium of a French translation, which a member of the late administration in Russia, (Count Kotchubey, Minister of the Interior,) caused to be translated by autho-

rity, at the same time with my work on Legislation in General, which he caused to be translated into *Russ*, and which, though never published by me in English, had been translated and published in French, by my friend Dumont, and was the work that made so much impression in Spain, as above.

“Seeing the work of Jovellanos agreeing so well with my notions, and, in particular, with those developed in my Defence of Usury, (of which there are two different translations in French.) Admiral Mordvinoff, who a few years ago was at the head of the admiralty in Russia, and who, being an old acquaintance of my brother’s, is a disciple of mine, thought it would be a pleasure to me to see it, and sent me a copy of it by my brother at his late return from Petersburg. Having these and other reasons for expecting to find Jovellanos favourably disposed to me, I have written to Lord Holland to try, through the medium of Jovellanos, to obtain for me a permission to visit the interior of Mexico, together with a letter of recommendation to the viceroy, whose residence is at the capital, and the governor of the port of Vera Cruz. This latter will be no less necessary than the former; the object being to enable me to get out of his sight as instantly as possible; for as the high table-land of the country is one of the most healthy spots in the world, so Vera Cruz, and all along near the sea-coast, is one of the most deadly.

“[Since writing the above, I have learned, however, that it is only in summer, viz., from May to October inclusive, that it is so highly formidable.] In Peru, which contains likewise abundance of *table-land*, the climate is in a *similar*, though, accounts say, not a *superior* degree healthy. ‘In the small province of Caxamarca, containing hardly 70,000 inhabitants, there were eight persons *alive* in 1792, whose ages were,—114, 117, 121, 131, 132, 141, and 147; and in the same province, a Spaniard died, in 1765, aged 144 years, 7 months, and 5 days, leaving 800 persons lineally descended from him.’ This is taken from a sort of *Magazine* printed in the country itself, which a friend of mine

got over for me. A gentleman born at *Buenos Ayres*, (the place that you have read so much about in the papers,) but who, in the year 1801, was, for about a month, at the capital of Mexico, dines with me to-day. His name is Don Castella. Four years ago, he was sent over by the principal people in *his* country to offer to put it under the protection of *this* country,—but nothing would satisfy the ruling powers here, short of plunder and unconditional submission; and we have all seen the consequence.

“If I cannot get leave to go to Mexico, I shall probably pay a visit to some of the little south-western islands,—Madeira or Teneriffe for example, where, owing to the same causes, there are spots nearly as delightful and salubrious; nor is English society altogether wanting; but, on account of its wealth, extent, and novelty, Mexico is more inviting. It is very uncertain whether the Mexicans will continue in subjection to Spain, even during the government of the patriots there: but to submit to be governed by them is *one thing*; to receive a man civilly, who comes with a letter of recommendation from them, is another.

“Eyes are precious,—more so to me than to most people,—I must try some course to save them. Under the plague of *fires*, notwithstanding everything that can be done by *screens*, they are growing worse and worse every day. I must make an attempt to save them. I shall not, however, leave this country without giving you full warning: you will the less court *me* since *Sam* is returned to take my place. If I go, we may both, perhaps, take a run down to you for a few hours, to talk over matters, if you do not forbid us. His whole family, mistress, children, and servants have, of late, been sadly afflicted with illness: Mrs B. bed-ridden, with a hæmorrhage, for several months; but now she is about again,—children all pretty well, and servants mending or recovered.

“Manuscript road maps and journals of travels, between Vera Cruz and the capital, that never have been published, lie before me.

“If I go to Mexico, and find the climate answers, I will send you a card of invitation: if you come there, the scurvy will be left behind; and as for *stones*, Portal says you have confessed they are no trouble to you.

“With the truest respect and affection, my dear Doctor, ever yours.”

“*Thursday, Nov. 10.*

“The law business being adjourned to this evening, so is Koe's visit to Portal.”

Horner sent to Bentham the following information respecting Mexico:—

FRANCIS HORNER TO BENTHAM.

“*Lincoln's Inn, 28th Dec. 1808.*

“I do not know what degree of credit is due to M. Thierry, except upon the subject of his popaleries; for he seems to have been but slenderly provided with any other sort of curiosity, and does not always adhere to the same account of what he had actually seen. Thus, he first says, that the houses at Vera Cruz were mostly of wood, and takes occasion thereupon to be eloquent and sentimental about prejudices; and then, in another passage, he corrects the error of former travellers in making this assertion,—says he has seen to the contrary with his own eyes; and that, in fact, there is not a single house built of wood in the whole city. The difference between his geography and that of Arrowsmith's last map has perplexed me very much; for while he speaks, all his journey through, of travelling in a south-easterly direction, the positions of the places that he mentions in that map trace a route to the north-west for the half of it. However, I have gleaned several facts from the book, which are valuable; and I mean to run through it once more to pick up a few more, if I have left any.

“I was surprised to meet with so much curious information about Mexico in the third volume of Pinkerton's Geography. It is all taken from a work which I have seen upon the shelves at Holland House.

"Pinkerton has also made a judicious use of Thierry's book: he has corrected the population which that author assigns to the city of Guaxaca, viz. of 6000 *souls*,—by supposing him to have been ignorant that the Spanish mode of computing is by *families*, which is rendered very probable, because 6000 *families* are assigned as the population of the same city in Alcedos' Dictionary, which Mr P. refers to. It is surprising that he has not applied the same solution to another passage of M. Thierry's book, which he rejects as incredible; that in which, upon the authority of Mons. de Fersen, vol. i. p. 194, he states the whole population of the Spanish possessions in North America as so low as *one* million of *souls*; if M. de Fersen reckoned by families, this computation would not carry us far from three and half millions, the number which appears to be supported by the best authorities. By Mr Koe's desire, I have made some inquiries about the attempts of the East India Company to introduce the Cochineal into their settlements. What I have learnt respects Madras only, where a Dr Anderson projected this new article of culture. Insects were procured from America,—I do not know by what expedients,—however, they proved to be of a spurious breed; yet the produce of these was sold in England at a good price. There is a reward still held out to any one who will carry out the true insect to India; and I understand they are not quite confident of possessing the proper *opuntia*, though every known species was procured. Thierry's book was known at Madras to those who were interested about this subject, and was considered as very valuable.

"Believe me, my dear Sir, most sincerely yours, "FRA. HORNER."

In answer to Bentham's application for liberty to visit Mexico, Lord Holland wrote from Seville, February 18, 1809:—

LORD HOLLAND TO BENTHAM.

"DEAR SIR,—I am much afraid you must have thought me both negligent and rude, in neither promoting the ob-

ject of your letter, nor answering it for so long a space of time; but the fact is, I have had no intercourse with the persons in government here till I arrived at Seville; and one of my first objects was, to place your petition in the hands of Dⁿ. Gr. M. de Jovellanos, than whom it is impossible to find a man more friendly or liberal, or whose protection and friendship can be more creditable. He espoused your cause most eagerly, as he is not unacquainted with your character, acquirements, and merits. Though he is the leading man of the Junta, there is, unfortunately, so little of a *lead* in the Government here, that he was unable to give an explicit answer, or to undertake to secure your permission to go to Mexico without any difficulty and hinderance. Indeed, I have taken his advice in the business, and presented a petition in your name to the Government, which Jovellanos was good enough to draw up himself; and if the answer should, unluckily, be delayed till I have left Seville, he will take the trouble of forwarding it to you.

"He conceived that the character of *Jurisconsultus*, and writer on criminal law, might possibly be considered as a bad recommendation; and has, therefore, mentioned those circumstances as accidental, and ventured to ground your petition on your love of botany, and of antiquities, and on the precarious state of your health. I hope you will excuse me for dwelling so much on those trifles in the petition.—In representing your knowledge on any subject, one is very safe of finding sufficient to justify one's representations; but I hope that I have no ground for dwelling on your infirmities, but the goodness of the argument which it affords.

Lady Holland and Mr Allen are much flattered by your kind recollection,—and I hope, my dear Sir, you are convinced that it will be a source of lasting gratification to me, if I can contribute on this, or any other occasion, to promote your wishes, and to render the life of a man so useful to the world as yours, either longer or more comfortable than it would otherwise be.—I am, ever sincerely yours."

On the 27th June, Jovellanos wrote to Bentham as follows:—

DON GASPAR M. DE JOVELLANOS TO
BENTHAM.

(Translation.)

"The honourable mention you have been good enough to make of me to my distinguished patron and friend, Lord Holland, and the high opinion he has given me of your application, talents, and ardent zeal for the good of humanity, could not fail to inspire me with sincere gratitude and the highest esteem for your person and character, and the most earnest desire to serve you in all things at my disposal. Your design of passing directly from your island to our America may present difficulties: not so, if you were to address your representation from Cadiz, and present, as the object of your journey, something connected with researches or studies in natural history, or the physical sciences. Your detention in Vera Cruz the necessary time for fulfilling the exigencies of our police, is absolutely necessary, though you may reckon on all the recommendations for making it as short as possible. Other formalities will be necessary for the liberty you desire of establishing yourself and living tranquilly in the interior of Mexico; for though the rules established in the New World on this and other matters will occupy the attention of the government here, they cannot at this moment be changed. In conclusion, Sir, without desiring to induce you to change your purpose, I cannot avoid saying, that time and circumstances do not appear to me to promise you that tranquil security you seek. But be your resolution what it may, I hope and pray you to be assured, that I shall do all in my power to further your wishes," &c. &c.

Jovellanos' letter was sent by Lord Holland, accompanied by the following:—

LORD HOLLAND TO BENTHAM.

"*Holland House, 6th Sept., 1809.*

"Don Gaspar M. Jovellanos was

so delighted with your letter, and so anxious to give you every assistance and advice, that, though worn out with business, he preferred dictating a letter to you (which I enclose, and which will be a good Spanish lesson to you) to intrusting any verbal message to me—his signature, he said, would sufficiently account for his employing an amanuensis, as he was provided with that assistance, and it was not equally certain that you had a decipherer.

"You might visit Seville, any time after this month, with perfect security from agues; but whether that circumstance does not render a visit from the French more probable also, you will be able to determine for yourself better than I can advise you. You would, if at Seville, find them, I hope, in the midst of the work of legislation and reform, to the object of establishing, or restoring a free constitution, to which your correspondent, Jovellanos, dedicates all his time, and directs all his zeal and eloquence.

"P. S. Did you get my letter from Seville?"

Bentham made to Cobbett (April 8, 1809) the following anonymous communication, to which I do not find any written reply in his papers:—

"A writer, who is preparing for the press, to be published with his name, a work on the subject of Libel Law, in which great use will be made of the cases of the King against Cobbett, and Do. against Johnston,* finds himself in great need of the information which the attorney's bill in the former case would afford, and this partly in respect of the sum total of the pecuniary burthen—partly in respect of the *items* of which it was composed. The mode of communication by which the purpose would, beyond comparison, be best answered, is, the printing an exact copy in Mr Cobbett's *Register*; because, by this

* In the art of Packing Special Juries, (Works, vol. v.,) these cases are frequently alluded to. In that work (p. 65) the author mentions his having projected a work on the special subject of Libel Law; but he does not appear to have followed up the design.

means, the text being in everybody's hands, the comments that would be made upon it would find, readily laid down for them, an authenticated basis, universally intelligible. But lest the publication of a document of this nature should not be found suitable to the plan of the *Register*, the writer finds it necessary to indicate a private mode of correspondence for this purpose.

"A *Mr Davies*, as it may happen to Mr Cobbett to know, has, during Mr Cochrane Johnson's absence on his expedition to Seville and Mexico for dollars, the direction of the repairs and alterations that are going forward at the house he has lately taken in Queen Square Place, Westminster. To him Mr Cobbett is desired to have the goodness to direct any private communication which, on this occasion, he may be disposed to make. The writer is not personally known to Mr Cobbett; and as Mr Cobbett will understand in the sequel, it may be material to a purpose which Mr Cobbett cannot but approve, that he may have to say, and that with truth, that there has not been any personal intercourse, nor exists any connexion between them. But for a token that the degree of confidence necessary to the purpose in question is not likely to be abused, nor the trouble, that on Mr Cobbett's part may be necessary, altogether thrown away, he thinks it may be of use to mention that not long ago he partook of a brace of partridges at No. 13, Alsop's Buildings.

"Other articles of information wanted, are—

"1st. Defendant's sentence in *King v. Cobbett*.—Imprisonment, if any.—If fine, amount of the fine.

"2d. Bill of costs in *King v. Johnson*; but as to this, there does not seem any probability of its lying within Mr Cobbett's reach.

"The writer wishes, if possible, to get out his work before any of the twenty-six prosecutions on the ground of Major Hogan's pamphlet* come on for trial; or will before Lord Ellenborough's death, which, he understands from good

authority, is expected to be not far distant. Should the information in question, viz. the bill of costs, be destined for a place in the *Register*, the earlier the better,—in the next number if possible; meantime, should my notice of this be destined for a place in the *Register*, the writer may be designated by the letters A Z."

In sending to Bentham the *Annual Review*, Dumont writes:—

(Translation.)

"This is excellent—I like the man. He speaks boldly, loudly, intelligibly. He is not like some of the lukewarm whom I know—shamefaced admirers—who will say twenty pretty things in a chamber, but not one—no, not one in writing."

Bentham writes to Mr Mulford:—

"I am hard at work, trying whether I cannot get the public, or some part of it, to turn its attention to the corruptions in the law department; in comparison of which, the commander-in-chief's office, make the worst of it, was purity itself. It is perfectly astonishing to see how, by comparatively trifling instances of misgovernment, the current of public opinion has been turned against the Ministry, or rather against all Ministries, and in favour of Parliamentary Reform as the only remedy."

At this period of Bentham's life, his intimacy with James Mill was great; and intercourse, both epistolary and personal, was constant. Next to Dumont, he must be considered as the most influential of Bentham's followers and admirers. He brought a vigorous intellect to grasp and to develop the doctrines of his master. To a great extent he popularized them. He has been reproached with having habitually neglected to acknowledge the source from whence he derived his inspirations, and to have given to the world as his own, the valuable matter which he drew from his great instructor. But the accusation has been exaggerated—for, though the "Utilitarian Philosophy" is the groundwork of all the writings of Mill—these writings are full of original views, and

* On the State of the Army, under the Duke of York.

occupy many portions of the field of thought which had not so specially engaged the attention of Bentham.

Of Mill, Bentham used to say:—

"Mill will be the living executive—I shall be the dead legislative of British India. Twenty years after I am dead, I shall be a despot, sitting in my chair with Dapple in my hand, and wearing one of the coats I wear now. It was Mill who induced Ricardo to get into Parliament, and I took some trouble to get him a seat."

Mill, however, had his heresies—among others—what Bentham called "an abominable opinion" with respect to the inaptitude of women, and one "scarcely less abominable," that men should not hold office till they are forty years of age.

Though an exceedingly able, Mill was by no means an amiable man. Bentham said of him that his willingness to do good to others depended too much on his power of making the good done to them subservient to good done to himself. "His creed of politics results less from love for the many, than from hatred of the few. It is too much under the influence of selfish and dissocial affection.

"He will never willingly enter into discourse with me. When he differs, he is silent. He is a character. He expects to subdue everybody by his domineering tone—to convince everybody by his positiveness. His manner of speaking is oppressive and overbearing. He comes to me as if he wore a mask upon his face. His interests he deems to be closely connected with mine, as he has a prospect of introducing a better system of judicial procedure in British India. His book on British India abounds with bad English, which made it to me a disagreeable book. His account of the superstitions of the Hindoos made me melancholy."

Mill writes (Sept. 27, 1809):—

JAMES MILL TO BENTHAM.

"I offer up my devotions to heaven every morning for the prosperity of Libel Law. After the feeble and timid talk

on the subject of the freedom of the press in the House of Commons on Monday night, I am more impatient than ever. Pure fear of the lawyers seemed to tie up the tongues even of Sir F. Burdett and of Whitbread, who otherwise appeared willing to speak. They were afraid they should commit some blunder in regard to the requisite provisions of law, and, therefore, eat in their words. Oh! if they but knew what law is, and ought to be, as well as you can tell them, on this most interesting of all points, we should find the boldness, I trust, on the other side, equal to that of the lawyers."

When the "Elements of Packing" were passing through the press, the bookseller halted in alarm, and refused to proceed. The horrors of the Libel Law were upon him,—and he was afraid of being the victim of the very system which the book denounced. He had suggested a title, something less offensive, for the book,—viz., "Perils of the Press." The opinion of Romilly was afterwards taken, and he gives that opinion in these words:—

SIR SAMUEL ROMILLY TO BENTHAM.

"January 31, 1810.

"I have read a good deal of 'Elements of Packing,' and I do most sincerely and anxiously entreat you not to publish it,—I have not the least doubt that Gibbs would prosecute both the author and the printer. An attorney-general, the most friendly to you, would probably find himself under a necessity of prosecuting, from the representations which would be made to him by the Judges,—but Gibbs would want no such representations, and would say, that not to prosecute such an attack upon the whole administration of justice, would be a dereliction of his duty.

"Recollect what you say yourself,—that it is much easier to attack King George, than King Ellenboro' &c.; and, with all the heroism and disregard of changing your own comfortable climate for that of Gloucester or Dorchester, which, whatever you may feel, you will hardly, I think, reconcile to yourself the

involving your printer in the same calamity."

But the printing was proceeded with, and though the book was not openly sold for many years afterwards, copies were circulated by Bentham among his friends. The only persons who secured them in the first instance, were,—Mill, Colonel Burr, Brougham, Whishaw, Miss F——, Dumont, Horner, and Burdett. Mill had, however, been anxious for its appearance: he says:—

JAMES MILL TO BENTHAM.

"12, Rodney Street, Pentonville,
"July 25, 1809.

"As to 'Elements,' for the outcome of which I appear to be far more impatient than you, I have been to give the man a lesson in reading Benthamic copy, and he is far less frightened than he formerly was, or pretended to be;—and I expect that his experience will soon prepare some other bold-hearted man to take your stuff in hand. I have told Baldwin, that it must be, through thick or through thin, *published* in six weeks. My motive for naming this time, was, that then it will be ready, time enough for the *Edinburgh Review*, No. after the next,—and I do not want it out much sooner, that no law *boa* may lick it over, and cover it with his slime, that it may glide the easier into his serpent's maw, and afterwards offer the excrement to Jeffrey, to the frustration and exclusion of an offering of my own.

"What is to be, will be; what is not to be, will not be:—I hope I have here provided myself ground enough to stand upon. You see I have not turned my eye to the *pastoral office* so long for nothing: had it been ever turned, like your own, to the equally reverend and pious office, the dispensation of law, the field of generalities would hardly have been more familiar to it."

Of the difficulties Dumont had in his translations, he thus speaks:—

DUMONT TO BENTHAM.

(Translation.)

"31st July, 1809.

"Think of the torments of a transla-

tor, to whom the most essential words are wanting, in a language the most beggarly in philosophical elements. I have hazarded some without scruple where I could find analogy, as *infirmatif*, *inculpatif*, *exculpatif*, *initiatif*, *confessorial*, *jactantieux*; but what am I to do with self-inculpative, deportment, disprove, trustworthiness, concealment, misrepresentation, inference, latency, latitancy, avoidance of justiciability, conclusiveness, veracious, mendacity, extraneous evidence, authorship, to purport, responsion, forthcoming, incompleteness, and multitudes besides? I have hazarded inference, (in the meanwhile,) for it seemed to me that *consequence* did not represent the English idea; but I have not yet fixed the *terminology*. In language, unexpected discoveries are sometimes made.

"I am not bold enough to judge *le fonds*. I am a disciple—I learn. I must look at the whole; but the manner in which you oppose informative to inculpative facts, appears to me wonderfully simple and luminous.

"With respect to form, I have found some obscurity from too much precision. But looking at the immensity of the work, I can see you could never have got through it had you delivered yourself up to developments. There are chapters which, emanating from an ordinary mind, would have been volumes. Here is the mine. Labour in it who will, not a hundred years will suffice for exploring and circulating its riches."

COLONEL BURR TO BENTHAM.

"Gottenburg, 13th Sept., 1809.

"To-morrow I go to Copenhagen, where I shall see the father of the *Comités Conciliateurs*,*—the communication is quite open,—pray afford me a few lines; but do not scold too much,—I could not bear it just now.—Tell me of your health, and what you are about.—Have you finished the 'Essay on Libels, and Liberty of the Press?'—It is wanted here,—for they are willing to

* The founder of the Reconciliation Courts in Denmark.

do, on this head, what is right, but are quite in a quandary as to the 'how.' It is wanted in the U. S.—It is wanted everywhere, except in England, where no improvement will be tolerated.—Innovation! But I see that one of your great friends is likely to come into the ministry: I am glad, for your sake,—not that he can do you any good,—but that it will gratify you.

"My new sovereign treats me with civility; that is, he lets me alone.—One of his ministers, however, D'Engerström, has been constant and assiduous in active civilities towards me."

JAMES MILL TO BENTHAM.

"31st October, 1809.

"The thick mist of this morning,—which some treacherous appearances of last night led me not to expect, and drew me on to continue in my design of being with you this evening,—sets before my eyes, in such horrible array, the terrors of my walk, of the other evening, from Hampstead,—a walk of Stygian darkness, 'with perils and with tremblings viroed round,'—(a night in a watchman's box by the side of the road being the least of the evils with which it threatened,) that my 'stomach stout,' however, I smite upon it like Hudibras and Ulysses, and however I cry with the latter, *πεπλάσι δὲ καρδίη κ. τ. λ.* gives way, and bids me, with imperious voice, wait for clearer weather. Then comes your spirit, and cries, a bed,—a bed.—Hall,—oak,—there is such a kind of a place, in which there is such a kind of a thing as a bed.—But then, again, there comes the spirit of a doctor,—who was it? Boerhaave,—was it not? and it cries, '*Vita brevis, ars longa.*'—And then there is an internal spirit that whispers to self, 'What a devilish deal, master of mine, you have yet to do before you are good for much,'—and all this raises such a tumult, that I am puzzled what to do. Virtue, however, asserts, that she cannot sanction the bed,—because that interferes with, not one day, but two,—and that so many are the little teasing interruptions I meet with, while in this London, that I do not get on as I ought to do.

"The *Edinburgh Review* was sent me yesterday morning,—Bexon* sadly mangled.—The mention of you struck out, in all but one place,—and there, my words, every one of them, removed, and those of Mr Jeffrey put in their place: the passage is still complimentary, but with a qualifying clause. What is to be done with this concern?—I am, indeed, seriously at a loss."

BENTHAM TO JAMES MILL.

"Hampstead, 5th December, 1809.

"From the enclosed letter of Mr Dumont, you will see the sensation made by the *Bexon* while at Holland House.

"To preserve the person most immediately injured, it seemed to me that nothing better could be done than to send to Mr Dumont a copy of so much of your letter of the 27th November as related to that subject. Under so serious a charge as that of a 'most impudent plagiarism,' it was no small satisfaction for me to have in my possession an anticipated exculpation, and that so complete a one for your defence; and it was an additionally fortunate circumstance that I was enabled to add the existence of at least one witness, (meaning, though not mentioning,) Mr K. [Koe,] by whom the groundlessness of the charge, in so far as you were concerned, could be attested. For my own part, not a single syllable of the attack having either been seen or heard, read or reported to me, it seemed to me that I could do no less than say as much: viz. in answer to which it said of the *personnes qui prétendent savoir, ou du moins qui soupçonnent très fortement, que cet article a été fait sous votre direction; with the observation—'si cela est, il faut qu'il y ait en cela quelque vice très profond qui m'échappa.'*

"On account of what is said about Panopticon, as soon as you have given Mr Dumont's letter a sufficient perusal, I will beg the favour of the return of it by post."

* "Application de la Theorie de la Legislation, Penale, ou Code de la sureté Publique et Particulière," &c. Par S. Scipion Bexon, &c.—Reviewed in *Ed. Rev.* XV., 88.

JAMES MILL TO BENTHAM.

“December 6, 1809.

“Your communication to me of Mr Dumont's letter, though the intelligence imparted by it was not of the most agreeable sort, found it difficult to add to my anger, which was near its maximum before. Under this oddly generated surmise, I feel gratitude to Mr Koe for his very lucky expression of his desire to read the article in MS. before it was sent off, and the very moment before it was sent off; for it came out of his hands, and was sealed up that very instant under his eye. The contradiction of this—not very measured accusation—would otherwise have rested on my self-serving testimony; for it was not my intention to have troubled Mr K. with the reading of it, as I thought he would so much more easily satisfy himself with it when he could see it in print.

“It is no less satisfactory to me in respect to another of the said wisely conceived surmises, viz. *that of the article's being drawn up under your direction, &c.*, that you neither saw it, nor heard it,—a circumstance owing entirely to the same cause, viz. a reluctance to encroach with it upon your time, and the reflection that all you might desire to know about it, you would know, with most pleasure, when it should come to be read to you in print.

“Notwithstanding, however, the passage in which I endeavoured, not only to do justice to your merits, but to point you out, in as distinct a manner as I could, to the public, as the only man from whom light was to be got on legislative matters, I own that I, after knowing the dislike which Mr Jeffrey had to praise, studiously made use of your doctrines, at the same time sinking your name; and in more places than one, as I dare say Mr Koe remembers, I had originally named you as the author of what I was saying, and afterwards struck it out. This was done upon the exhortation of Mr Lowe, who said, that from what he knew of Jeffrey,—from what Mr Jeffrey had said to him about what he called my propensity to *admire*, and

in particular to admire you, as also what he said about his own (Jeffrey's) propensity *not to admire*, that he would not admit the mention of you in such terms to stand in so many places, and that it would be best to retain it in two or three of the places where I thought it of most importance, and strike it out in the rest, when the probability was, he would not meddle with it. As there appeared to be reason in this, I allowed myself to be governed by it,—and after all this caution, we still see what has come of it.

“To come, however, to a more agreeable subject,—after thanking you, as I most heartily do, for your zeal to exculpate me,—I have this day got to the end of *Exclusion*.^{*} *Impossibility* then is all that remains; and I am at the end of the principal stage of my labours, viz. my operations upon your text,—i. e. among your various lections, the making choice of one—the completing of an expression, when, in the hurry of penmanship, it had been left incomplete, &c. Editorial notes, of which we have so often talked, are only thus far advanced, that a variety of rudiments are set down, with references to the places of the work where they should be introduced. But it has often happened to me to find, what I had thought might be added as a note in one place, was given admirably by yourself in another place, and a better place. And in truth, having surveyed the whole, the ground appears to me so completely trod, that I can hardly conceive anything wanting. It is not easy, coming after you, to find anything to pick up behind you. My memory, too, is so overmatched by the vast multiplicity of objects which the work involves, that I am afraid to trust myself in any kind of notes, save suggestions of cases, illustration by instances,—lest what I say should be an idea brought forward in some other part of the work. All this, however, is not intended to operate as an apology or pretext for indolence. Notes there shall be written, and very full ones,—whether these notes shall be printed, is another question. My feet are still lumber—still of

* In allusion to the Works on Evidence.

no use. They seem slowly bringing themselves back to that state in which use may again be made of them. When they will accomplish that desirable object, it is not yet for me to say."

On the subject of the article on Bexon, Brougham writes to Mill:—

"*Temple, Sunday, 10th Dec., 1809.*

"My observations on Bexon can easily keep till we meet. The principal objection is to the pains you have bestowed, or, I think I may say, thrown away, on the exposition of a man's blunders, who is obscure, and, apparently, only magnified into consideration for the sake of his mistakes. I also object to some attacks on Ellenborough, of which, perhaps, you are not aware. There are certain inverted commas which, in fact, mask quotations from his own words. The praise of Bentham seems to me excessive, and not very consistent with the tone of the former article, though perhaps less extravagant than a passage in your first South American article. The adoption of his neology, I must enter my decided protest against. It is possible you might not be aware that *forthcomingness* and *non-forthcomingness* are unknown in all writings on law, except his own; but such words as *semi-public* you must be convinced are of his mint.

"How a non-feasance can be the object of punishment I do not perceive; unless, perhaps, in the instance of misprison—when, however, the refraining from an act is clearly an act of assistance, and part of the criminal deed being the contribution of a conspirator."

Mill, on sending some strictures on Bentham, written by a common friend, in a tone of bitterness so severe and unexpected, that he doubted whether he could, with propriety, communicate them, justifies himself by the conviction that their communication would do little harm to the parties, and much good to the public, and to the world—and concludes his letter:—

JAMES MILL TO BENTHAM.

"Forcibly did the reading of that

last letter strike me with the truth of an observation, which you yourself have somewhere made,—that the man who has anything of great importance for the good of mankind to propose, must be dead before his beneficent proposals have any tolerable chance for a favourable reception, or so much as a fair consideration. The man who gets the start too much of his contemporaries, I see must be an object of jealousy; and while he lives, must have eyes and ears purposely shut against him. I own, in the present quarter, I am disappointed and grieved. One of the most liberal-minded, and enlightened, and one of the most amiable men I know,—and yet, such is the letter he writes to me! Let us not, however, be discouraged—let us go on cheering one another; and as I shall find nobody when you are gone: why you must, just for that reason, live for ever.

"When you have sufficiently perused the said notes, have the goodness to let me have them again.

"I have made a sort of discovery. In a piece of Voltaire's, the title of which caught my eye the other day, '*Essai sur les probabilités en fait de justice*,' he makes use of figures (numerals) for expressing the different degrees of probative force in different articles of evidence. He applies it merely as an instrument for a particular purpose, and in a particular case; and seems to have had no idea of a scale for general use. But it may be useful for you to see it, and to say when and how you have seen it; as the fashion seems to be to impute plagiarisms where the imputation is not shut out by bolts and bars, and a guard of soldiers. The vol. is the 30th in my edition, and it is the second of those entitled *Politique et Legislation*. If you have it not, I will send it you per first conveyance."

BENTHAM TO J. MULFORD.

"*24th April, 1810.*

"As to Lord Holland, saving your presence, Doctor, you misconceived me—Oh, no! that is not polite. I am glad I did not say so—I mean—I must have

misexpressed myself. Lord Holland never has been in Mexico; in Spain, indeed, he was till lately, and from thence sent me those letters which you saw. The man who has been in Mexico, is not a lord, only an honourable; Cochrane Johnson, my next door neighbour and tenant; one of the uncles of the Lord Cochrane, Member for Westminster, whom, if you ever read papers, you are so continually reading of in the papers. Twitting me with what you acknowledge to be but a half promise, you call upon me for stories;—after Lord H., I should not be afraid of telling stories; but after my tenant, I am, a little. What say you to a shrub or tree, about the stature of a lilac, covered from top to toe with flowers, in form like a *Canterbury bell*, in size as big as a quart bottle, (he would not bate a hair's breadth,) in odour strong and delicious, in colour of the purest white, giving to the whole tree, when in blossom, the appearance (to an eye at a certain distance) of a mount of snow? This (he says) is among the weeds that grow there, and *floripundia* is its name. If circumstances would not admit of bringing growing plants or cuttings, why not bring seeds at least? *whys*, more might be put in plenty. Plants or cuttings, he indeed professes to expect—but with other expected things in abundance, what those who know him, fear much will never come. A plant, with flowers about the size of those of a honeysuckle, and growing in a manner not unlike to one, but in each stalk, exactly in number and shape, like *a thumb and four fingers*. This I myself saw, he having imported a specimen, preserved in a bottle with spirits. Also, besides snakes,

lizards, and other such vermin, specimens of the *stones*, and the *woods* of the country, cut in squares. Item, a sort of painting in oil, say, about fifteen inches by ten, and not ill executed, exhibiting the inhabitants, as they exhibit themselves, in all the varieties that result from the intercopulation of European Spaniards, American Indians, and African negroes. Moreover, a most magnificent, recently published, map of Mexico the capital—number of inhabitants about 200,000—the first that ever came to Britain; another copy I have a promise of, but I will sell it you at a cheap rate.

“But alas! the paper will hold no more.”

DUMONT TO BENTHAM.

(Translation.)

“3d September, 1810.

“I do not know of your having been informed that I have been carried away, (*enlevé*,) suddenly carried away—that I had been conveyed, half in the air, in a certain machine—that I had seen a multitude of lakes and a multitude of mountains—that one day I found myself in the capital of metaphysics—that I dined there with the literary people of the country—that I colloquized in all good humour with our enemies—that afterwards I went from castle to castle—that I have now a firm faith in enchanters, and still more in enchantresses. Alas, that in the midst of that world, and of its attractions and its illusions, I should have abandoned my faith and denied my master! But my good genius—my good genius has saved me—and—I will dine with you to-morrow. Your silence says Yes!

CHAPTER XVII.

1810—1813. *Æt.* 62—65.

Correspondence with Blanco White on the Affairs of Spain.—Project of Settling in Venezuela.—Cobbett.—Droits of the Admiralty.—Dumont's English.—R. B. Nickolls.—Brougham on Codification in America and Naval Reform.—Sir F. Burdett.—Major Cartwright.—Colonel Burr.—Madame de Staël and Benjamin Constant.—Jury Trial in India.—Miranda.—Proposal to Lord Sidmouth to prepare a Penal Code.—Blaquiere.—Mackintosh.

BENTHAM took a deep interest in the affairs of Spain; and a correspondence was established between him and Blanco White, then the editor of the *Español*. In a letter to Bentham, (24th October, 1810,) he says:—

BLANCO WHITE TO BENTHAM

"I am confident, from the knowledge I have of your philanthropy, that you will favour the cause of my country with the further communication of such of your observations as you may consider most beneficial to it. Meantime, I feel myself bound to contribute to that satisfaction, which is the purest reward of every man who consecrates his labour to the amelioration of mankind, by bearing testimony to the good effects of your works in Spain. Though thwarted in their circulation by prejudice and ignorance, they were looked for and read with avidity: they were mentioned as a leading rule for the amendment of our laws, when a committee was appointed to that purpose, during the Central Junta; and I venture to foretell, they will have a material influence in the future code of Spanish laws, if we ever come to possess such a blessing."

BENTHAM TO BLANCO WHITE.

"Oxstead, 25th October, 1810.

"Your favour of yesterday's date having just come to hand, I take the earliest opportunity of stating something, which possibly may not yet be too late for a brief mention in the last sheet of your next *Español*.

"In the account of the proceedings of the Cortes, on the 27th September last, I see mention made of the appointment of a committee of eight, for drawing up a law relative to the *Liberty of the*

Press. At the request of a common friend of ours, so it happens, that I have of late been occupied—I am ashamed to say for what length of time—in drawing up a Code upon that subject, including what to me seemed the necessary explanations. Though the principles were fully settled, the text was not quite finished when he left this country; but as much was finished and put into his hands, as there could be any practical use for, for some time to come.

"He had been several times attacking me on that subject. My answer was, that the accomplishment of it was precisely the most difficult of all problems discoverable in the field of legislation; and amongst other reasons for this, that the whole field of legislation is comprised in it: that, in a word, in my view of the matter, everything else within that field was child's play in comparison of it. Such was the difficulty I expected to find, and such was the difficulty I actually found: accordingly, without its being yet quite finished, about two months of my time were completely occupied by my attempt. You know, without my telling you, the latitude for which my draught was calculated; but a very trifling alteration would, I believe, suffice for rendering it as fit for the purpose now in question, as for that for which it was designed.

"It would not be without emotion, and possibly for a moment, not altogether without regret, that our friend would view, one of these days, so early a mention of a work which he had in some measure been entitled to consider as his own; but if things go on well where he is gone, he would have given it its chance there before your next *Español* can probably have reached his hands; and whatsoever, if any, may be the value

of it, I have too high a sense of his liberality to suppose him capable of considering it a proper subject for engrossment.

"My arrival in town is fixed for Monday next; after which, I flatter myself with the hope of an early opportunity of paying my personal respects to you, at a sociable time of the day, at the place to which your letter was directed."

On sending back to Bentham his remarks on "forthcomingness," or the proper means to be taken for the compulsory attendance of parties and witnesses, and the elicitation of evidence,* Dumont thus writes:—

(Translation.)

"Nov. 1, 1810.

"I return you this tissue of abomination—employ me to reëstablish torture—anonymous accusations—religious excommunications! force a man into the company of executioners—tyrants—inquisitors,—how *can* anybody publish such horrors? I wash my hands of them. I have put it all into barbarous French. The academy will only condemn me: but you will be burnt alive, at the first philosophical and legal *auto da fé*.

"I am *forthcoming* on a simple invitation, without any compulsory application of a physical or a religious nature: Friday, or Saturday, or Monday, at choice,—but not later, for I decamp on Tuesday or Wednesday for Ashdon.

"After such a succession of horrors, I am hardened, and you may d— me out and out by some diabolical service—exclusion of evidence, for instance. There will be sulphur enough to consume Lincoln's Inn and the Temple. Farewell, monster!

"P.S. Dumont's criminal style, wanted to imitate the Monitorial formulary, to be issued without delay."

BENTHAM TO MR MULFORD.

"1st November, 1810.

"You may know, or not know, that

the king's illness you read of in the newspapers, is the *old madness*. Sir S., in his way hither, met two members of the House of Commons: one of them ministerial, the Comptroller of the Navy,—of course with a long face; the other, Sir Samuel Romilly, an oppositionist—the man you read of in the newspapers—mighty brisk and alert. It had never been intended that the House should have met this day: probably not till after Christmas. It would have been prorogued of course; but the king's signature being necessary, could not, under these circumstances, be conveniently obtained. Not that it was regarded as altogether impracticable; but Mr Perceval, the minister, acquainted the House that he feared to make the experiment. Since the king has become blind, those who have seen his signature report it a mere scrawl, without the similitude of a letter. The House having power to adjourn itself, did so; but for not more than a fortnight. You may imagine now what an uproar all our politicians are in on both sides. If he is not mended by that time, there will be battling about the Regency, as before.

"You mention Mexico. Mexico I have no longer any thoughts of. But another country still more charming, the province of Venezuela, *alias* the Caracas, so called from the capital, I have very serious thoughts of. Mexico is very scantily watered, both by rains and rivers,—Venezuela abundantly. The temperature is delightful, summer temperature all the year round. Within sight of the sea, though almost under the line, you have a mountain topped with ice, so that you may absolutely choose your temperature, and enjoy the vegetable luxuries of all countries. If I go thither, it will be to do a little business in the way of my trade—to draw up a body of laws for the people there, they having, together with a number of the other Spanish American colonies, taken advantage of the times, and shaken off the Spanish yoke, which was a very oppressive one.

"General Miranda, a native of Venezuela, who rose at the time of the French Revolution to the command of an army

* See Procedure Code, commencement of vol. ii.

in the French service, and whose life has been employed in the endeavour to emancipate the Spanish colonies, left this country about a fortnight ago, by invitation, to put himself at the head of them. He took with him the draught of a law which, at his solicitation, I drew up for the establishing of the liberty of the Press. He is to write to me immediately on his arrival; and if things are in a peaceable state, I shall probably take a trip thither not long after I have received his letter. The province has agents here in the style of ambassadors, who, though on account of our connexion with Spain, they cannot be openly recognised, are well received. One of them was sent here t'other day in a king's ship sent on purpose. I am flattered with the hopes of a similar conveyance to be granted at their solicitation. I should prefer it much to a common packet, not only for safety, but for comfort.

"I see nothing that can prevent my going if I am alive and well; but either their falling into confusion, or Miranda's immediate loss of that ascendancy, which there can be no doubt of his possessing at present there: both of them, effects for which no probable cause is as yet discernible. A number of our considerable political characters, and even women too, are already looking to that country, and longing to go there. Lady Hester Stanhope, who was niece to minister Pitt, and used to live with him, promised Miranda, that if he found things there settled to his wishes, she would go over to him, and superintend female schools for him. This was before she heard of the above-mentioned revolution. At present, she is among the Greek Islands, or at Constantinople; but the news of the revolution will quicken her return. Even Wilberforce, who gave them an entertainment t'other day, talked, half jest half earnest, of paying them a visit. The good which I could do to mankind if I were in the House of Commons, or even if I were minister, is inconsiderable in comparison of that which I may hope to do if I go there: for having, by the ignorant and domineering Spaniards, been purposely kept in

ignorance, they have the merit of being sensible of it, and disposed to receive instruction from England in general, and from your humble servant in particular. Whatever I give them for laws, they will be prepared to receive as oracles: for the case is, though I have neither time nor room to give you particulars, that now at length, when I am just ready to drop into the grave, my fame has spread itself all over the civilized world; and, by a selection only that was made A. D. 1802, from my papers, by a friend, and published at Paris, I am considered as having superseded everything that was written before me on the subject of Legislation. In Germany, as well as France, lawyers, commissioned by their sovereigns to draw new and complete codes of penal law, have sought to do themselves credit by references to that work. In the Russian language, two translations of it were made by authority. In Spain, it was received with enthusiasm, and was about to be made use of, had things turned out well there, by the constituted authorities. In my own country, of course, less said of me than in any other: but still my fame spreading, frequent references and quotations in books, and every now and then a panegyric in Parliament. Meantime, here am I sitting and scribbling on in this my hermitage, never seeing anybody but for some special reason, always bearing reference to the service of mankind. Farewell! my dear Doctor. I have given you a long dose. As I never see anybody, I don't know how soon I may be able to lay hold of a member to frank this."

The following letter is thus endorsed—"With Parliamentary Reform Catechism for publication. Taken to Cobbett by Mr K. Cobbett requiring a fortnight's time to consider of it, it was brought back, and never afterwards sent."

BENTHAM TO COBBETT.

"The following introductory letter, it is desired, may be inserted, if the paper itself is:—

"Queen Square Place,
Westminster, 16th Nov., 1810.

"SIR,—The celebrity of your name, compared with the obscurity of my own, has suggested to me the idea of presenting you with the enclosed paper on Parliamentary Reform, for the chance of its obtaining, through your *Register*, a degree of circulation so much beyond what any such name as mine could give to it.

"It forms but one chapter in a work which I hope soon to have ready for the press.

"Bringing to view, in a concise and familiar form, the chief of the *reasons* which presented themselves to my conception as pleading in favour of those fundamental arrangements which everybody is acquainted with, it will be found to suggest some subsidiary arrangements, which have not, in that character, ever as yet been submitted, I believe, to the public eye.—I am, Sir, your very obedient servant."

DUMONT TO BENTHAM.

(Translation.)

"22d November, 1810.

"Well! I have little to tell you, my dear Bentham; but you tell me I must prattle—and I prattle best in thanking you for your news about A. and F. They have made me shine at a dinner: introducing them dexterously as I did, a beautiful woman thought me in correspondence with the Court.

"The Panopticon article on Brid. Ed. [Bridewell of Edinburgh] is done—for the *Philanthropist*. You say, remember to write in English. The counsel comes too late. In English, my style is embarrassed—constipated—dull. I can introduce a word or two when I stumble upon a phrase. I will try, however, to translate myself.

"My packages are made up—your MSS. in the bottom. What I had is translated (the individual Codes.) My curiosity is but excited. It is not in the palace—or in the kitchen—but I do find a most piquant originality. Impose partiality on the editors of periodicals! A pretty inheritance for Sidney Smith. How he will chuckle over the Cato journalist! The virtue of a judge re-

quired from a trader in paragraphs—and the specimens—I hear my men roaring with laughter—and then—how will Perry balance epigram against epigram? A joke of Jekyll will be reëchoed by two of Canning—or, must an article, in order to be impartial, be as grave as a sermon?

"But joking apart, one of your own universal principles will be opposed to you. Why not trust to the interest of competitors in a question of trade. They know best what suits them. If there are two parties, each will have his paper—each will plead his own cause, and this is the only possible chance of impartiality. After all, the law will be inefficacious; for, if there be no literary tribunal, is not the editor able to reject what he pleases? Who is to judge him?

"I examine: I do not reject. The idea is not Utopian—Cobbett has put it in practice. My doubt is as to the desirableness of making it a law—a general law. If there were a government enlightened, courageous enough to apply it to its official paper, that might serve as a model for the rest. Can that be hoped for? Yes! from a new government—one that is yet pure; and I see no objection to propose it: the solemn engagement is so striking, as to encourage an honourable man to take charge of the enterprise."

In answer to an inquiry as to the proportion of prize-money paid to the officers of privateers, Brougham writes to Mill.

"My information is, that the proportion of the net proceeds given to the officers and crews of privateers varies,—but that the most usual proportion is *one-fourth* (net proceeds.) The owners and outfitters of privateers make the best bargains they can with the crews and captains. I know of no case (nor can hear of any) where the prize courts have decided what share should be allowed where the capture was made without any previous agreement.—Indeed, I apprehend the crew would in that case have no claim.

"The above information applies to privateers generally."

Brougham, in answering inquiries made by Mill, on the subject of the Admiralty Court, says:—

“10th December, 1810.

“I trust Mr B. will consider the great question of *Droits of Admiralty*, as worthy of his attention. I don't know if he is aware of what was done in it last session. As I had a principal share in pressing it,—and in threatening to press it more generally this session,—I could explain its situation easily to you, the first time we meet, and give you the documents.”

The topic interested Bentham much, and he replied to Mill:—

“December 13th, 1810.

“But just received yours dated yesterday morning. Concerning *Droits*, what you tell me is altogether new to me, and the best news possible. I am delighted to see it in such good hands. Oh, yes; get the documents by all means. Those which consist in House of Commons' papers, printed last session, I have of my own, or, at least, ought to have. But let me have the whole *tote*, where-upon all that I have of my own, I return instantly,—and the others speedily, that is, as soon as I have done with them, and as much sooner as they are wanted. Not having yet received my *Cobbett's Debates* for the last session, I remain in total darkness. I feared it had been in no hands but inept and unpractised ones, such as those of the sea-faring members.”

The following note will give a correct idea of the excellent English which Dumont wrote,—though almost all his letters to Bentham are in French:—

“February 16, 1811.

“The man in the moon takes as much interest in my labour as you do.—I am a working slave,—the whip would not be so afflictive as so much indifference. Massa is a very bad massa. Not one poor visit in the ante-jentacular perambulations. Read the fable of La Fontaine, ‘L'âne et le jardinier.’ I regret my former master.

“I threaten you with an invasion,—but I give you fair warning,—to-day,

if you choose, or Tuesday,—petit regime, remember,—je suis un sage, je ne mange ni ne bois, je travaille, je maigris à vue d'œil, j'ai besoin de causer avec vous avant d'entrer en conference avec l'imprimeur, et je suis impatient de commencer pour être libre, si possible, à la fin de Mai.

“Samedi.

E. D.”

Extract of a letter from

THE REV. R. B. NICKOLLS TO BENTHAM.

“Stanton, 12th March, 1811.

“SIR,—I do remember a Greek, with a Hebrew name, my opposite neighbour in the inner Quadrangle, of our *Alma Mater*, Coll. Reg. Oxon., whose retired and studious habits rendered him hermetically sealed at the time, though I was persuaded that he would open to advantage at some future season: in this persuasion I have not been disappointed; and the receipt of his last publication, on the Reform of the Laws of our Judicature, which came to hand a few days since, has shown me how much he has studied, to his own honour, and incalculable advantage to the cause of justice, and humanity, and good government, if he should be attended to; as indeed he must eventually be under such patronage, if the highest reason and equity retain any friends in power. The difficulty, the anxiety, distress, and sometimes ruin, which attend the repetition of right in our courts of law, imperiously demand redress; and from the sovereign ruler, if not remedied by the proper powers, *must* bring down just retribution in national visitations, and *do even now greatly cool the regards of many to our political constitution.*”

BENTHAM TO SIR FRANCIS BURDETT.

“May, 1811.

“DEAR SIR,—Your presence was grievously missed on Thursday or Friday last, when M. A. Taylor's motion about Chancery Delays came to be made. It *would* be so, still more deplorably, on Thursday next,—the day to which the debate was adjourned. A parliamentary friend of yours has just been with me. His father is upon terms of the oldest and strictest intimacy with both the

persons for whose accommodation the vile job threatened in the Lords is intended to be made,* especially the one for the support of whose incapacity, the capacity of the other is to be called in. In such a situation, is it for flesh and blood to *write* or to *speak* a single syllable? No: but he will be *there*; and being there, will give his honest vote. Is not this heroism?

"Sir Francis Burdett has no such chains: and by Sir Francis Burdett shall the interest of the public be—I had like to have said, once more—sacrificed to the interest of the pillow?

"The debates in the *Times*, and I fear in the other papers, presented but a very partial and altogether inadequate view of what was said on the occasion, especially by Romilly.

"The pace of the present Chancellor in the making of *decrees* is more than ten times as slow as the average pace. Exactly this, in substance and effect, said Romilly in the House. In one term, (I think it was the last,) during which the Master of the Rolls made *one hundred and fifty* decrees, the Chancellor made—not *one*. This, too, if I do not misrecollect, Romilly said in the House: this, at any rate, he has said several times to me. On Thursday he will move for documents, from which, what is above will be proved. This, then, in particular, is the motion which stands so much in need of support. In effect, I am not certain whether in *form* he gave notice of it on Friday. The few honest or half-honest lawyers, who, had they been there, would have given him their support, were, by this or that accident, kept away. Between personal and public considerations his situation was a most irksome one. I heard it from his lips, and still more impressively in his tone, (I speak of the closet, not the House,) as well as read it in his countenance. I called on him (it was but yesterday) for the purpose of spurring him to do the very thing he had declared his intention of doing in

the House. What I am now writing, and whatever little else I have done, or may do on this subject, it is fit you should know is altogether without his knowledge. Since Lord Hardwicke's time, or earlier, the number of causes in the Court of Chancery has rather decreased than increased: so that, if a dozen of lawyers, having the most practice, were picked out, and the dice were thrown to obtain an *average man* among them, that average man being Chancellor, would have no need of the proposed coadjutor; so that the only use of the proposed job, except increase of the influence of the Crown over the lawyers, together with a few other etceteras, is to keep in that highest of places a man, of whom it will be proved by the rules of arithmetic, that he has not one-tenth part of the capacity that is necessary to enable a man to do his duty in it.

"The Ministry looked wondrous grim: they are in a sad funk: their not venturing to do anything more than to adjourn the debate, seems sufficient proof of it. If duly and happily improved, opportunities may arise of uncovering more and more the nakedness and rottenness of the nursing mother of all abuse. Forgive all this liberty, and believe me, most truly, dear Sir, yours.

"P.S.—My own situation considered, not to speak of other persons, you will understand without difficulty that I am casting myself on your generosity, and that no part of this is designed either for the tavern or the newspaper.

"N.B.—Lord Redesdale, the ex-Chancellor of Ireland, was for incapacity in this its worst shape, *indecision*, just such another. This appears from the most pointed facts printed in the debates of the time.

"N.B.—Incapacity in *this* shape being proved by comparative arithmetic, is an element of unfitness which cannot but be accompanied by *mala fides*; since it is not possible, that, like *erroneous judgment*, it should be a secret to the man himself."

BROUGHAM TO MILL.

"July 7, 1811.

"MY DEAR SIR,—I have this mo-

* The appointment of a third judge in Chancery, (in addition to the Chancellor and Master of the Rolls,) then entertained. It was not effectuated till the appointment of a Vice-chancellor in 1813.

ment received your letter and the enclosures, containing part of the letter to Madison,* and I need not say that it forthwith put all other business for a season to flight, and fixed me. I am about to go through it with much care, for the purpose of humbly suggesting a few alterations, to avoid startling our Transatlantic brethren too much at first. But as to the main point, I am wholly at Mr B.'s service. Pinckney I know extremely well, and have long been in the habit of communicating freely with him. I will write, therefore, in any terms you please to him. Munroe, his predecessor, I was equally intimate with, and I make the same offer as to him. I believe he is now Governor of Virginia. It may seem absurd to say so; but to the present question it is material, and therefore I may mention, that I have some little credit in the U. S., at least with the Jefferson party, (the ruling powers.) They printed and circulated my speeches on the American questions, and I see I have my share in the abuse of their adversaries. I have also had a very civil, and indeed unmerited proof of Jefferson's good opinion, from a gentleman who chanced to be with him when one of those speeches arrived. I am sure I cannot possibly better *use up* (as the housewives say) this little credit, than by attempting to pave the way for the communication in question.

"I do not even know the name of the *chargé d'affaires*; but I can have no objection to apply to him: and what I should propose would be this, (though I write in haste, and with little time for maturely digesting the plan,) that I should desire him to transmit, as from myself, to Pinckney, (himself an eminent lawyer, by the way, and one whom I have consulted on American law, as I have been consulted by him on our own,) and then that the letter and packet should be delivered by Pinckney to Madison,—being introduced by Pinckney by a full letter from me. Not that any such introduction can be very necessary when

the name of Mr Bentham appears; but the American lawyers may have some of our homebred (or rather homebrew'd) prejudices, and I can state things respecting Mr Bentham, and his weight with even sound practical lawyers of the better school, which he can't so well mention himself. I shall send back the MS. speedily, and wait your answer as to my mode of proceeding.—Ever yours truly,
H. B."

In answer to a letter from Mill, suggesting inquiries into some subjects of naval reform, Brougham writes, that he fears Lord St Vincent would not concur in Bentham's views, and that of Lord St V. he had formed a high opinion. Bentham writes to Mill:—

"Nothing can be more frank, more candid, more judicious, more honourable than Brougham's conduct; nothing more satisfactory than his accounts of it.

"If, in his dealings towards my brother, Lord St Vincent had been fortunate enough to have Mr B. for his adviser, this favourite plan of his, supposing it capable of standing the test of examination, might have been saved from that opposition, and even that retardation at least, which it has been its destiny to experience."

Dumont says, August 7th, 1811:—

(Translation.)

"I have read Lord Charlemont's Life.† It may interest you more than it interests me. I found no amusement in it—too many generalities—too many allusions—too few anecdotes. It is rather a general view of Irish history, than a biography of the principal personage."

On the 4th September, in answer to a proposal that he should write to Gallatin,‡ recommending him to address the President of the United States, in order to induce him to apply to Bentham for

* See the address to President Madison in the Papers on Codification and Public Instruction. Works, vol. iv. p. 453.

† Hardy's Memoirs of Lord Charlemont: London, 1810, 4to. Bentham made use of it in his "Radicalism not Dangerous," at the end of vol. iii. of the Works.

‡ Albert Gallatin, Plenipotentiary of the United States, in London.

a Civil Code to be introduced into America, Dumont says:—

DUMONT TO BENTHAM.

(Translation.)

“I have not forgotten the letter to Gallatin—I wanted to write it. I began it—I applied myself to it two or three times—I could not succeed to my liking. Not succeed? you say—a good letter—a fine piece of eloquence? Nay!—but a reasonable and useful letter—nothing came of it. Have I not said all?—who am I?—what weight have I?—what does it all mean? I do not like to be impertinent—I do not like to labour without hopes of success. Since I talked the matter over with you, divers reflections have assaulted me. Some you saw as well as I did; but there is one we did not think of, and which moves me much. What CAN the President do? What can be done by a moveable magistrate, whose power expires in a year or two? What engagements can he undertake for his successor?

“His personal invitation is nothing. There must be a decree of the Senate or the Congress: and how can this be obtained? Will the Senate read your writings? Will they be able to judge of the aptitude of the author? Burr said he knew not four persons in America who had read the *Principes*. What can then be hoped for, as the author is an unknown being—an Englishman—an English lawyer? Every motive of jealousy and national distrust will operate upon the Americans, among whom presumption and conceit of themselves are the most remarkable characteristics. These are my opinions; they are not meant to influence yours. But I must say, a letter from me to Gallatin is a sabre-blow on the water, and especially as, according to Smith, he is on bad terms with Madison.

* * * * *

“We are busy here with a do-nothing life. I admire laborious men, but have not courage to imitate them. The Prince-Regent has intimated to Perceval that he would like him to wear his uniform, and has presented him with a set of buttons; a significant caress!

MAJOR CARTWRIGHT TO BENTHAM.

“Thursday, 29th August, 1811.

“MY DEAR SIR,—I yesterday heard of three free settlers of New South Wales, who are now in town, having come over with facts and documents to prove the enormous plundering of stores, &c. &c., in a case intended to have been brought to some inquiry in England, before the Privy-council, I suppose. But finding Ministers absolutely set their faces against any inquiry, these *free settlers*, after the expense, loss of time, and neglect of their settlements, are going *back again*, and in the course of seven or eight days. Thinking you might wish to converse with these men, who, after the treatment they have experienced, will probably be sufficiently communicative, and ready to produce their documents, I would not lose any time in giving you this information.

“Possibly you might wish to converse with them without your name being known to them; in that case, I have no doubt I could get them to my house, where you might be present, and question them as you please; or I could contrive a meeting elsewhere, as you might like.

“I am going this morning to Hackney to see the ascent of the balloon, a grand sight I have never yet witnessed. In my way through the city, I will take my ground for an interview with the settlers, provided you should wish it, and contrive to have everything in readiness, that in case of meeting them you may lose as little of the country enjoyments as may be.

“Yours, dear Sir, very truly,
“J. CARTWRIGHT.”

BENTHAM TO MAJOR CARTWRIGHT.

“Oxstead, Surrey, 30th August, 1811.

“MY DEAR SIR,—I have to acknowledge the favour of yours of yesterday's date. Thanks in abundance for your kind remembrance of me. The business is interesting, and in altogether competent hands. Mine could not better it. But hands there are by which it might be bettered, viz., a Member of Parlia-

ment's; for example, (and if he could but bring himself to take the trouble of it, whose could be better?) Sir Francis Burdett's. Such and such are the facts which the persons in question were willing to depose to, and offered to such and such official persons (naming them) to give an account of; but those official persons would not hear them. At great expense and inconvenience to themselves they left the colony on such a day, staid till such a day; but finding that any further stay would be to no purpose, embarked on such a day on their return. This is what, according to your letter, a member of Parliament, who should have seen and examined them, would be able to say in his place.

"In default of Sir Francis, who very probably is not within reach—viz., between Piccadilly and Wimbledon—but at some distant watering place, if this were a time in which any person were in town I might possibly have got some M.P. to see the men in question and act accordingly. This being hopeless, remains for consideration the next best thing to be done.

"Objects two:—1. To collect the facts and preserve them from deperition; 2. To fix the ministry with *notice*, prove that the not proving the abuses and bringing them before Parliament and the public in the regular and usual manner is their fault—their wilful fault—and thus prove them guilty of connivance.

"For the accomplishment of these objects, supposing motives on your part adequate, and the requisite means in your power, *i. e.* the persons in question ready to do their part, the following is the course that occurs to me:—

"1. You to see them, (the sooner the better, since their departure is so near,) and to get out of them, and commit to paper, as particularly as may be, all the relevant facts within their knowledge. For this purpose, by way of memento, the titles of the sections in that pamphlet of mine which you have, together with the running titles with which the pages are headed, might perhaps be found of some use.

"2. When the facts are before you,

then to state them, or such parts of them as seem most material, in form of a letter, to be signed by the men in question, and addressed to Mr Secretary Ryder, within whose department it is, observation being made of the person to whom at his office it is delivered: the persons to mention the day fixed for their departure, *i. e.* for the departure of the ship in which they are to go, and their inability to retard it: likewise to state the preceding manifestations they had afforded of their readiness to give the information, and what steps, if any, were taken by the official persons in question (naming them) in consequence.

"As to the once-intended inquiry, what I heard about the matter is as follows:—About the beginning of last session, I think it was, or earlier, an intimate friend of mine, M.P. (you may guess who: I don't like mentioning names in black and white, without leave*) informed me, that some flagrant abuses in New South Wales had transpired, and that some members of Opposition had thoughts of trying to obtain a committee, for the purpose of bringing them to light. Some time afterwards, he informed me that the project was abandoned; for the person on whose evidence the principal reliance was placed, had, by means of a place, been satisfied and bought off by the Ministry, —under which circumstances, the prospect of his giving, before a committee, the same account that he had given of the matter, or any other account that would afford a justification for the inquiry, appearing hopeless, the design was given up. In answer to a question of mine, his name was mentioned; but I do not to any certainty recollect it. I have some notion that it was Fowel, or some other name beginning with an F. I am certain of its not containing more than one or two syllables. I don't know whether it is not agent for the colony that he is made. Your settlers might perhaps ascertain this.

"A friend of mine, whom you once saw at my house, but without speaking, and

* Probably Romilly. There is an allusion to the circumstance in his Parliamentary Diary for 1810. Life, vol. ii. p. 319.

whom Mr Holt White saw and spoke with, has mentioned to me a Mr *Brown*,* as having passed some years in the colony in quality of botanist, and living now in Gerard Street, where he is librarian to the Linnæan Society, and, moreover, librarian to Sir Joseph Banks. He is mentioned as an honest, quiet man, but probably not very observant of anything but Natural History; and finding on his own personal account no grounds for complaint, not likely to have been very sharp in looking out for them.

"By mentioning this Mr B. to your men, you might hear of some facts, in relation to which their testimony, when they are gone, would, upon occasion, receive confirmation from his. Mr Mac-Arthur you must have heard mentioned as one of the most eminent and respectable of the free settlers. In May or June, he was examined, on the trial of Lieut.-colonel Johnstone, by a Court-martial, at the instance of Governor Bligh. Mention was made of it about that time in '*The British Press*.' Whether he is now in England, I have not heard. He has a brother, a mercer, in Plymouth, with whom, on occasion, communication might possibly be obtained.

"Being in the office of the Secretary of State, the proposed letter might be *called for* in Parliament; and, against the connivers, the facts would be to be taken for true, since, if incorrect, it was their fault that the incorrectness were not ascertained and corrected. A copy should be preserved, that, without a committee, (which would not be granted,) any member having it in his hand might be enabled to speak to the facts with confidence.

"Suggestion by Mr K.—Possibly these men, having heard how (Fowel?) was bought off, came hither on the like errand; but found the connivers tired of buying quiet at that rate. But this hypothesis depends upon there having been time for them to have heard of it, and come hither afterwards.

"I take this only vacant place for assuring you, that I am, my dear Sir, ever most truly yours."

MAJOR CARTWRIGHT TO BENTHAM.

"September 6th, 1811.

"MY DEAR SIR,—On Sunday I had an interview with the free settler; but, on recollecting it might be the man's ruin, to be followed by an information to the Governor, that he had made any reports to the disadvantage of persons in power, either here, or in New South Wales, I was guarded in my inquiries, leaving him as much as possible to narrate spontaneously. In the course of our interview, he produced the copy of a letter which he himself wrote on the 26th of January last, three months after his arrival in London, to one of our ministers, exhibiting a clear and distinct charge against a military man then in England, of having, while in power in New South Wales, put to death five or six men, mentioned by name, without trial of any kind, and contrary to law—even the law of New South Wales, such as it is; at the same time stating, that abundance of evidence of these facts might be established by the testimony of several persons then in England, attending at the prosecution of Colonel Johnstone, and that he himself was ready to bring forward the matter in a legal way. From that day to this, no notice has been taken of this letter to a Cabinet Minister.

"After waiting awhile from the date above-mentioned, he, in the same form of words, addressed himself to one of the Chief Justices, who has to this hour remained equally silent on this account of so many murders.

"Having discovered that my informant came home in support of the charge against Johnstone, for divesting Governor Bligh of his office by a military insurrection, and at the head of troops he commanded—a charge exhibited on the part of Government at home, I was cautious not to alarm him, but expressed surprise that his well-intended communication should have been neglected in so extraordinary a manner as he had related, as well as a wish that Lord Folkstone, or Sir Samuel Romilly, had been desired to have noticed the matter in Parliament, which might have driven Ministers to have done their duty. In his reply,

* Robert Brown, the distinguished Botanist.
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he mentioned one distinguished gentleman in Opposition, to whom he had shown his letter to the Minister and the Chief Justice; and, to my great surprise, that gentleman not only read the letter without any comment, but was ever after silent on the subject. In what an age do we live, when murders by the half dozen are to be perpetrated by a military man in power, while no party politician, either in or out of power, thinks such matters worthy of investigation! or rather, while no such politician will call for the investigation till he have first considered how his own factious purposes are to be affected by it!

"As I was very unwell, and my informant was obliged to leave me, I obtained no other information worth noting; which I the less regretted, as he told me that, from Mr Margarot, every sort of information respecting the colony, might be obtained. I do not know Margarot, but am well acquainted with several of his friends. He also promised to call again before he embarked, which he expected to be within the week. I have not, however, seen him, and have been too unwell to seek him at his own lodgings. Besides which, my time has been much occupied about my brother's life-boat invention.

"The moulds I returned a few days since, for the use of which I am very thankful, as it enabled me to propose, to my friend the India captain, a superior boat for all the common purposes of his ship, besides being peculiarly well adapted for the purposes of a life-boat. The boat is now building. When we meet, we must talk over this organized system, of murders by wholesale in the regular course of administering the affairs of an English colony.

"With every wish for your health, and every hope that you may yet be eminently instrumental in putting an end to the above abomination.—Truly yours."

COLONEL BURR TO BENTHAM.

"October 12th, 1811.

"I am very glad, and very sorry to falsify your prophecy, for we shall meet, and soon. The story is thus:—After new and infinite vexations, subsequently

to my letter by Forbes, I did, on the 19th of July, obtain a passport: set out immediately for Amsterdam, where was the American ship *Vigilant*, waiting to receive me. On my arrival, found the ship ready; but, on the same day, her departure was retarded by order of the emperor. On the 13th of September, the obstacles to sailing being removed, we embarked again: the ship then at the Texel. At the very moment we were about to sail, an express from Amsterdam brought an order for further delay: returned again to Amsterdam. On the 29th September embarked again; wind being a-head, did not propose to sail until it should change. In the evening of that day came on board a company of Police, commanding we should sail in twelve hours, or that our permission should be revoked. Did sail within the twelve hours, *i. e.* on the morning of the 30th: the same day were visited by a British frigate, whose captain, after examination of the ship's papers, took possession of her: took out fourteen of our crew, put in ten of his own, and two officers, and ordered us hither—where?—read on:—We were in the *Vigilant* seventy-three passengers, of all nations, colours, sexes, and ages—add 32 hogs, and various other quadrupeds and bipeds; but *I am afore my story*—to go back a little, then: I had taken a passport, and under an assumed name, with no reference, however, to the British Government. When our master (Combes) went on board the frigate, the first thing said to him by the captain was—"So you have got Colonel Burr on board?" Our master, Combes, having no instructions from me, replied that he had no person of that name on board. "O no, Sir; but you have Mr. A. on board, whom, I believe, you know very well." This looked ominous. We were eight days in making a passage of about thirty leagues—arrived on Sunday evening last. On Monday, wrote Mr Reeves, announcing my arrival, and asking permission to land to go to London; did not write to you, fearing you might move in the matter, and thereby do yourself harm: resolved first to know whether I were

to be confined to the ship, imprisoned on shore, or transported anew—the only three alternatives which presented themselves to my mind. By *return of mail*, to wit, on Wednesday, received from Mr Reeves a polite note authorizing me to land and to go to London at my pleasure. This indulgence is the more valuable, as, of the seventy-three passengers, among them many Americans, not one other is permitted even to come on shore. I shall profit by this permission, and to-morrow (13th October) shall leave *Yarmouth*, and propose to see you on Tuesday morning if you should be in London—hope not—if at Godstone, [Oxstead,] shall get there as soon as possible.

“I have a good deal of spleen to vent at you; but can’t just now work myself up into a proper humour: will try at London.”

DUMONT TO BENTHAM.

(Translation.)

“11th November, 1811.

“Trotter’s book,* full of wicked and perfidious purposes—but the power of injuring is not equal to the will. I have heard enough of him, to show that he has a bad head and a bad heart. One of the causes of his exasperation against the friends of Mr Fox is, that they refused to drive Trail away in order to replace him by Trotter: he supposed that nothing was to be refused to a secretary of Mr Fox. He got £1000 from Mrs F., and £300 from Lord H., and wrote most abusively to the former, because she refused him money.”

Among plans for producing greater harmony and unity of feeling between Great Britain and Ireland, Bentham proposed that the United Kingdom should be denominated *Brithibernia*. He communicated his thoughts on this subject to Lord Holland, who says:—

LORD HOLLAND TO BENTHAM.

“*Holland House, December 18, 1811.*

“DEAR SIR,—I return you, with many thanks, your very curious and in-

teresting paper, from the perusal of which I have received much pleasure and instruction. There is no question but names have great influence on mankind, and that those you object to are unlucky. It is, however, somewhat less certain that it is in the power either of parliaments or princes, to change names; and it is very certain, that till the latter changes other things as well as names, nothing that you or I could recommend for the conciliation of Ireland, would be listened to with any chance of success.

“With sincere hopes that you may long enjoy your health, and pursue your interesting and useful researches, I am, dear Sir, your obliged friend and servant.”

When Madame de Staël was coming to England, she applied to Dumont to introduce her to Bentham. Bentham did not like her,—he called her “a trumpery magpie.” He abhorred her sentimentalities and her flatteries. She said to Dumont, “Tell Bentham, I will see nobody, till I have seen him.”—“Sorry for it,” said Bentham, “for then she will never see anybody,”—and he would not receive her, nor return her visit. He had a similar feeling towards Benjamin Constant. He called him “Constant the Inconstant;” and when a friend asked him for a letter to Constant, he said, “No! he is getting proud and aristocratical,—his philosophy is ipsedixitism,—you will differ from him, and get his ill-will for your pains: and I will not expose you to it.” But, to say the truth, I never observed Constant’s little infirmities to assume an unreasonable or repulsive character.

Bentham, for himself, had made it a rule to avoid, as much as possible, discussions whose results would leave matters where they were, with the risk of annoyance to both parties in the progress of the discussion. “Endeavour,” he said, “to ascertain the opinions of others, who are strangers to you, before you venture to introduce your own. Introduce them not, if their opinions are so remote as to be irreconcilable with yours. Say not, ‘I have a right to proclaim and defend my opinion.’ What is the English of all that? ‘I have a right to give pain,

* The Memoirs of the latter years of C. J. Fox: by his Secretary, J. B. Trotter.

—to make enemies,—to have backs turned, and doors shut against me.”

There was some difficulty at this period in obtaining a publisher for the “Introduction to the Rationale of Evidence.” More than one bookseller declined, giving as a reason, that the book was libellous,—a libel on the administration of justice.* The fate of “Elements of the Art of Packing,” which lay six years printed, but unpublished, had alarmed “the trade.” Mill endeavoured to persuade the parties, that their “hesitation was weakness,” but with little effect.

JAMES MILL TO BENTHAM.

“By what I learned from Sharpe on Wednesday, at Ricardo’s, I look upon a Whig Ministry as certain. Marquis Wellesley having found it impossible to form an Administration, resigned the task, when it was transferred to Lord Moira; and on Wednesday, at five o’clock, Lords Grey, Grenville, and Wellesley, met at Lord Moira’s. Since that time, I know nothing, except that there was no account of this in the papers yesterday.† But the certainty of the fact, that Lord Moira is the former, makes an equal certainty, I think, of the Whigs being the material with which the formation will be accomplished,—Wellesley and Canning to be included. This being the case, I cannot imagine but that your proposal about Panopticon—namely, along with their penitentiary house—will be immediately assented to; at least, after the reasons which you can so easily give them. In truth, I suspect Panopticon will bar the way to Devonshire as a residence; and should the Whigs come in, as supposed, I suspect you will hardly feel easy at the idea of being away, till you know what is to be done with you. It is a maxim in politics, says De Retz, *‘que l’absent a toujours tort.’*”

* It was partly printed, but never published till, in the present edition of the Works, it was placed before the “Rationale of Evidence,” in vol. vi.

† It is well known that this negotiation proved abortive, from the stipulation of Lords Grey and Grenville, that the official changes should extend to the Royal household.

In conjunction with Mill, Bentham put forward various suggestions for the application of a Jury system to British India, with their *rationale*:—

“1. To make the choice of jurors extend, as far as possible, not merely to half-castes of legitimate birth, but to half-castes of every kind.

“2. Urge the reasons for admitting natives of all descriptions. Whatever reasons are good for admitting half-castes, are good for admitting others, if no reason springing out of what peculiarly belongs to the other castes can be shown to exist.

“3. Beginning with the half-castes discredits the institution in the eyes of the higher castes of natives.

“4. The natives of all castes mix without difficulty, as sepoys in the ranks of our army.”

Bentham’s intimacy with Miranda has been already mentioned, (p. 458.) Miranda was accustomed to look to him as one of the mainstays of South American liberty. He announced his appointment to the command of the Venezuelar forces, from

“*Head Quarters,*

“*Maracay, 2d June, 1812.*

“MY DEAR SIR,—I hope the day is not far distant, when I shall see the liberty and happiness of this country established upon a solid and permanent footing. The appointment I have just received, of Generalissimo of the Confederation of Venezuela, with full powers to treat with foreign nations, &c., will perhaps facilitate the means of promoting the object I have for so many years had in view.

“MIRANDA.”

On Lord Sidmouth’s coming to office, Bentham had an interview with him, which was exceedingly satisfactory. Lord Sidmouth expressed to him a desire to be favoured with his suggestions for the reform of the Law.

In consequence of that conversation, Bentham proposed that he should be encouraged to prepare a Penal Code for this country—offering to undertake it without any pecuniary recompense whatever. The offer was this:—

BENTHAM TO LORD SIDMOUTH.

"Mr Bentham to the President of the United States—Postscript to Lord Sidmouth.

"*Queen's Square Place,*
"*Westminster, 20th June, 1812.*

"MY LORD,—Your lordship's kindness having impounded the *brouillon* of my letter to the President of the United States,* as it were, in a state of nakedness,—apprehensive of the misconceptions to which, when viewed through that medium, the nature of the offer thus submitted by me to your lordship, may have been left open, by a conversation carried on, on my side, with the greatest rapidity which it was in my power to give to it,—I take the liberty of troubling your lordship with a few words of explanation, requesting that *this* letter may be added to *that other*, and considered as forming a sort of postscript to it.

"1. What is *there* proposed to the President, as ready to be *begun*, or rather to be *continued*, is no less than what is there termed, for shortness, a *Pannomion*, a complete *body* of law, commensurate in its extent with the *whole field* of law.

"What I should propose to your lordship, to call into existence for the purpose of the department over which your lordship now presides, is nothing more than a *Penal Code*: a proposed Penal Code *in terminis*, with a perpetual Commentary of *Reasons* (as per sample in the French book, Mr Dumont's) and Observations, bringing to view all along, and under each head, the imperfections, or supposed imperfections, of the existing rule of action in its present state.

"That you should pledge yourself for any such endeavour as that of *carrying into effect* so much as any the smallest part of it when produced, is more than I expect, or—But why do I say expect? It is more than, if it depended upon myself, I would suffer to be done.

"That in some point of view or other, some sort and degree of approbation, as

produced by the opinion already before the public, would, in and by any encouragement given to the *continuance* of it, be unavoidably, if not expressed, implied, is more than I can take upon myself to speak of as questionable. But to that general sort of approbation there are not any imaginable qualifications, limitations, reserves, modifications, or exceptions, that would not, on my part, find a ready acquiescence; and when the thing is finished, if from the beginning of it to the end, there should not be a single proposition in it that you saw reason to approve of, you would be just as free to say so, as if you had not contributed in any way to the production of it.

"In my own country, and in my own lifetime, the utmost I could expect of any body of proposed law drawn up by myself, is, that it should be received, and employed, and made use of in the character of a *subject of comparison*—a subject or object of comparison, capable, on occasion, of being referred to—referred to for good provision or for bad provision, for good argument or for bad argument, for approbation or for censure. The more insignificant the author, the more entire the freedom with which the work, in every part of it, might be, and would be canvassed. Here would be a *something* which would extend over the *whole field* of the subject, and which, good or bad, would, at any rate, have an existence and a *shape*.

"As to the existing Penal Code—but there *is* no existing Penal Code—(those fragments, those deplorably scanty, as well as frequently exuberant and throughout inadequately expressed—those perpetually incommensurable, never-confronted and ever-inconsistent fragments which are in the state of *statute law* excepted) existence cannot be predicated of it. Be it *law*, be it what else it may, that *discourse* which has no determinate set of *words* belonging to it, has no existence.

"Excuse my freedom; but I would beg of your lordship to consider whether this be not that sort of thing from which, in your lordship's situation, a public man has something to *gain*—something,

* The letter to the President of the United States on Codification, published in vol. iv. p. 453 of the *WORKS*.

I mean, of course, in the shape of reputation, and nothing at all to lose.

"Without expense to the public—without anything which, from any human being, can receive any such name as that of a *job*, on a subject of such importance, a work of such difficulty, brought out by the labour of the only individual in the country who has ever applied himself to the subject;—whatever there be in it that comes to be well spoken of—supposing anything in it well spoken of—Mæcenas, with his superior discernment and liberal views, gets, of course, the credit of: whatever there is in it that is ill-spoken of, Mæcenas washes his hands of it.

"Of one thing, I think, I can venture to give your lordship pretty full assurance, viz., that from *opposition*, anything done in this view, and, in particular, if coming from your lordship, would experience not merely a cold acquiescence, but upon occasion, openly and pretty extensively declared approbation and support; and I am even content to put the matter upon this issue, viz., that upon this point a sufficient assurance shall *previously* have been obtained. The grounds of this persuasion would require by far too many words for your lordship to be troubled with in the shape of black and white. But any time I am ready to submit them in the fullest detail, and with that confidential frankness which is so well suited to the subject, and of which, at the very first interview, your lordship's kindness set so encouraging an example.

"Since the days of Lord Bacon, the sort of offer I am making to your lordship is what has never, from that time to this, been made to any public man. This is as plain a truth as it is a known one; and in this, if there be anything of flattery at the bottom of it, it is a sort of flattery which I am not ashamed to give, and which your lordship, I presume, will not be ashamed to receive.

"Of the offer made in Lord Bacon's time, that great man, it is true, was the maker, not the receiver,—the receiver being an unwise king, and not the less unwise for the neglect he charged himself with in not profiting by it.

"When the object thus solicited for is neither more nor less than the faculty of taking up, for the remainder of life, a course of hard labour, without an atom of what is commonly understood under the name of *reward*,—in a word, without any reward but what is inherent in the nature of the labour itself, (supposing it to be followed with any effect,) and cannot be separated from it, your lordship, I am inclined to flatter myself, will join with me in the opinion, that the solicitation, should it even be deemed importunate, is not of that sort by which anything of dishonour would be reflected either upon the unofficial man who urges it, or upon the official man who should yield to it.

"What (I say once more) is NOT necessary, is reward; but what, I cannot but confess is necessary—I mean in my own case—to the execution of the sort of work in question, is ENCOURAGEMENT, meaning by *encouragement*, *attention*; for the work when executed, assurance of attention, viz. on the part of the public, and to that end, in some shape or other, from office.

"What your lordship has to consider is—whether it does or does not promise to be of advantage to the country, and thence to mankind at large, that a work of the sort in question, on the subject in question, by the hand in question, should be executed? Should your determination be in the affirmative, it will then be time enough to consider, in what *shape* the *encouragement* may most suitably be administered—I mean the assurance of attention afforded. This, however, is not a subject for writing, but for *viva voce* discussion, and on which I should have more to hear than speak—at least would more willingly hear than speak. One other thing, which your lordship may, perhaps, have to consider, is—whether it would be for the advantage of Lord Sidmouth's fame, that it should go down to posterity, that Lord Sidmouth, having it in his power to cause a work of the sort in question, a sample of which is in the hands of the public, to be brought into existence, and by that same hand, chose that it should *not* be brought into existence?

“‘But all this while, Sir,’ (I think I hear your lordship saying,) ‘if you really have any such strong desire for executing any such work as you speak of, what is there to hinder you?’ My lord, I am perfectly able and willing to explain to your lordship what has hindered me—what does hinder me—and what continues to hinder me. But this is not a subject for black and white.—I have the honour to be,” &c.

In answer to a complaining epistle of Mr Mulford’s, (then more than 83 years old,) Bentham concludes a long letter thus:—

BENTHAM TO MR MULFORD.

“*July 9th, 1812.*

“Alack-a-day! how long a trial has your talent at deciphering been already put to! The two or three last pages at least might have been spared; but as you grow stronger and younger, your letters lengthen, while your handwriting improves; and although I should never learn to write as well as you do, though I were to keep on writing to the age of Methusalem, yet I have always been your match in length. Moreover, since you have renewed your lease, your hand seems to have become clearer than it was when I had first the honour to become acquainted with it. What say you to the entering in one of the Inns of Court? In five years you might be called to the Bar, and in about fifteen or twenty years more might become Attorney or Solicitor-general, which would oblige you to come into Parliament: whereupon, in a few years more, you might pursue the track marked out by the late Mr Perceval, and become Minister; but, in that case, lest you should share his unhappy fate, let me recommend it to you, to listen to the voice of prudence, and insure your life.

“The member by whom this letter is franked, is the famous Mr *Brougham*—pronounce *Broom*—who, by getting the Orders in Council revoked, and peace and trade with America thereby restored, has just filled the whole country with joy, gladness, and returning plenty. He has been dining with me to-day,

and has but just gone. This little dinner of mine he has been intriguing for any time these five or six months; and what with one plague and another, never till this day could I find it in my heart to give him one—I mean this year: for the last we were already intimate. He is already one of the first men in the House of Commons, and seems in a fair way of being very soon universally acknowledged to be the very first, even beyond my old and intimate friend, Sir Samuel Romilly: many, indeed, say he is so now.

“Sir Francis Burdett is still upon my hands, for a dinner he has been wanting to give me, any time these six weeks, offering to have anybody I will name to meet me. In real worth he is far below those others: but being the hero of the mob, and having it in his power to do a great deal of harm, as well as a great deal of good, and being rather disposed to do good, and, indeed, having done a good deal already, must not be neglected.

“For society, I have to pick and choose amongst the best and wisest, and most esteemed men in the country, who all look up to me; and yet, having so much to do, and so little time left to do it in, I lead, in this my hermitage, a hermit’s life—not much less hermitish than yours. You sometimes, I believe, read newspapers: which paper is it that forms your channel of communication with this wretched world? It will be some weekly one, I suppose: if any, the *Examiner* is the one that at present, especially among the high political men, is the most in vogue. It sells already between 7000 and 8000. Cobbett, also, who, though a powerful writer, is almost universally known for a vile rascal—has sunk from between 4000 and 5000, to no more than 2000: in pretty broad terms, he has been vindicating the assassination of poor Perceval, and recommending it for imitation! yet, even he has been, in many respects, the instrument of good; for so, of course, will the vilest rascals be, when they think they see their interest in it.

“The editor of the *Examiner*—Hunt, has taken me under his protection, and trumpets me every now and then in his

paper, along with Romilly. I hear so excellent a character of him; that I have commissioned Brougham to send him to me.

"The Marquis of Lansdowne is going this summer to the family seat at Bowood, in Wiltshire, for the first time since his coming to the title and estate. I am summoned to go and take possession of the apartment there, which, for these thirty years, has gone by my name; but this year I certainly cannot afford time, and others are not likely to be very abundant. Here, my dear Doctor, in hopes of contributing to your amusement, have I been scribbling and scrawling to you as to a father, in confidence that you will not, on any account, let it go out of your hands.

"I mean to send, if I can find it, one of the numbers of the weekly newspaper called *The Examiner*. In it you will find a letter of which your humble servant is the subject; but which, odd as it may appear to you, your said humble servant never has read, and most probably never will read. He has too much use both for eyes and time, to read half the things that are said of him in books and newspapers.

"But what will interest you more, when you come to know the little circumstances that are connected with it, is the mention made by the editor, in a paragraph marked as written by himself, of my name in conjunction with those of Brougham and Romilly. Brougham is the sole confidential adviser of the Princess of Wales, in her contest with her husband. The Princess takes in *The Examiner*; and, as being in such pointed hostility against her said husband, reads it with great interest. The Princess Charlotte comes once a fortnight, on a stated day of the week, I forget which, to dine with her mother, and there she steals a peep at the said *Examiner*. The Princess Charlotte had been taught by her father to be a great admirer of Charles Fox. Upon her father's casting off that party without reason assigned, she would not go with him; but, being disgusted with his behaviour towards her mother, and on so many other accounts, adheres to her

mother, and retains her original political feelings in great force. Brougham and Romilly are the Princess Charlotte's two great heroes, whom she is continually trumpeting. If she were on the throne, Romilly would of course be Chancellor, Brougham either Minister, or in some other high office. They are both of them more democratic than the Whigs; and Erskine, having already been Chancellor, would probably have been preferred for that office, to Romilly, by the Whigs, had they come into power when they were so near it. Romilly's is the only house I go to; and Brougham one of the very few, indeed, that I admit into mine. When the Earl of Dundonald dies, Lord Cochrane, who is his eldest son, will succeed to the peerage; and then it is understood to be certain that Brougham will succeed him as member for Westminster. Lord Dundonald, a few days ago, was supposed to be at the point of death, but is now, they say, a little recovered. It is supposed, however, that he has but a short time to continue in this wicked world. In the same case, would the Prince-Regent, if drinking could kill him; for he is drunk (say the learned) every night, and palsy is hovering over him. Brougham does not seem to have any other more immediate prospect for coming into Parliament, which, of course, I am sorry for. He had a claim for a seat for Scotland, which, on account of the certain expense, and the little chance of success which the bitter hostility of the ministry towards him seemed to leave him, he has determined to give up. Romilly is in Parliament by this time. He went down yesterday, to be elected, to Arundel, which is one of the Duke of Norfolk's boroughs."

There is, in a letter of Mill, an interesting reference to his son, whose early promise had excited in Bentham's mind no small degree of attention, and who corresponded with Bentham, as soon as he was able to write:—

JAMES MILL TO BENTHAM.

"July 28th, 1812.

"I am not going to die, notwithstanding—

ing your zeal to come in for a legacy. However, if I were to die any time before this poor boy is a man, one of the things that would pinch me most sorely, would be, the being obliged to leave his mind unmade to the degree of excellence, of which I hope to make it. But another thing is, that the only prospect which would lessen that pain, would be the leaving him in your hands. I therefore take your offer quite seriously, and stipulate, merely, that it shall be made as good as possible; and then we may perhaps leave him a successor worthy of both of us."

MR SUGDEN * TO BENTHAM.

"*Lincoln's Inn, Nov. 26, 1812.*

"DEAR SIR,—I do myself the pleasure of sending you a copy of a pamphlet, † on a subject which you have long since so entirely and happily exhausted, as to leave nothing for future writers to attempt. Truth, however, requires sometimes to be repeated; and this is all that I have done. It is not without hesitation, that I venture to intrust to you my humble production; but Mr Brougham assures me that it will be kindly received; and, as he justly observed, it is a tribute due to the father of the subject. I beg to express my regrets, that I have so long delayed to render it.—I have the honour to be," &c.

D'Ivernois writes to Dumont from Petersburg, 6th February, 1813, that the "Principes" met with a considerable sale in Russia,—that everybody was talking of it, though he feared very few read or studied it:—

(Translation.)

"I find it," he says, "on the tables of the various Ministers, but not to much purpose. I must, however, except Count Al. Soltikoff, a clear-minded and sagacious man. He is wonderfully superior to all his colleagues; and he has not only talent, but knowledge. The other day he said a smart thing to Romanzoff, who, on his return from Erfurth, being

vexed and wounded at his asking leave to retire, said—'But, Count, it looks almost as if my return and my presence had determined you to take this step.' 'No, indeed, Count: say rather your absences.' One of the Ministers returned your two volumes within the four-and-twenty hours, averring that he had read and meditated on them the whole night through! There is a lamentable want here of administrative talent. The official functionaries are at an immense distance from the military officers of rank. I find my ideas professedly adopted, and then thwarted by concealed intrigue. They give me credit for stubbornness. The resources of this country are immense for defensive warfare,—but have been crippled by a bad currency arrangement, which I struggle in vain to replace by a more solid and substantial system."

On the subject of subscription to Articles of Faith, by the clergy of the Presbyterian Establishment, and the Parochial Schoolmasters in Scotland, Jeffrey writes:—

Extract of a Letter from Mr. Jeffrey.

"Our clergymen all subscribe the *Formula* and *Confession of Faith* at their ordination; and if, by any accident, that solemnity should have been omitted, they are unquestionably liable at any time to be called on to do so. The *Formula* is a declaration purporting that the doctrines in the *Confession* are orthodox, and was all, I believe, that was at first intended for subscription; but the custom has crept in to subscribe the *Confession* also. All teachers and professors in universities are liable to be called on for such subscriptions, as well as persons in orders."

Note[by Brougham.]—"By teachers, I presume he means parochial schoolmasters.

"The *Confession of Faith* is established by stat. 1690. "H. B."

BENTHAM TO MR MULFORD.

"Q. S. P., Wednesday,
"21st April, 1813.

"In a former letter, you mentioned, I think, your having made an offer to my brother to send him some account of his

* Now Sir Edward Burtenshaw Sugden.

† "Cursory Inquiry into the expediency of repealing the Annuity Act, and raising the legal rate of interest."

genealogy by the mother's side,—the Groves. He does not care about these things near as much as I do: anything you could favour me with on that head, would be very interesting to me. What I remember hearing, is, that they came from the *Groves* of *Wiltshire*, which it was said was a good gentleman's family. Well do I remember a sword which T. West used to keep in the granary to fight the rats with; it was said to have been employed by an ancestor of mine, when a student at Oxford, in defence of Charles the First.

"Would you like to see the 'Book,' as it is called, that is, Mr Perceval's 'Defence of the Princess of Wales; including the charges against her?' being printed in one or two numbers of *Cobbett*, I could send it you, as above, *post free*. It so happened that I was a good deal in the secret of that business: being upon the most confidential terms with her chief adviser, [see p. 471,] his letters to the *Prince* and Officers of State, a good while before they were published, or even sent, were shown to me. *This you will take care not to mention*. So confident were the ministers of being able to ruin her reputation, that they deposited the papers they had against her in Whitbread's hands, that her chief adviser might see them, making sure that he would be intimidated, and that, accordingly, she would keep silence. When he saw them, however, he saw that there was nothing in them that he was not fully prepared for, and so she wrote those letters to the Lord Chancellor and the Speaker; and so, for *our* amusement, everything came out. If you have read any newspaper of late, you must have seen how Lord Ellenborough fell, on this occasion, into one of his passions, and ran into such extravagancies as to have had the effect of adding general contempt to the almost universal detestation he was held in before. Though, in general, he is what is called a *good lawyer*, on this occasion he fell into an error so gross, that an attorney's clerk might be ashamed of it. It took me, however, two or three long letters to expose it, in the *Examiner*.*

* These Letters were published in the *Examiner* of March 28, April 4, and April 11. They referred

under the title of a 'Defence of Mr Whitbread,' who was much pleased with it, and asked Brougham, whether he knew whose it was. Brougham, who had never heard from me, or anybody else, whose it was, told him, as soon as he saw it, (he was but just come from Yorkshire,) that he was sure it was mine; and this was the case with a multitude of others, who knew me at once by my style, &c.

"When you received the *Examiner*, you were pleased to think you had got a frank of Romilly's direction, though it was no such thing. This being the case, the next time I write to you shall be in that manner; unless he happens to be out of town, as he is at present. When this reaches you, it will find you free of your cough; you confess you were but in the fashion; how could you expect to be always out of it? That last letter of yours, the handwriting, and everything belonging to it, is so provokingly strong and correct, there is no bearing it."

Lieutenant Blaquiére, who became afterwards a regular correspondent, wrote to Bentham in 1813, expressing his admiration of his works, and sending his letters from the Mediterranean. Bentham gave him his "Rationale of Evidence" in return: asked him to his house, and an intimacy commenced which lasted to the end of Blaquiére's life.

Blaquiére was at this time a lieutenant in the Navy, commanding the *Utile* at North Yarmouth. He was a son

to the examination of Mrs Lisle, before the Commissioners of Inquiry into the conduct of the Princess Charlotte. Lord Ellenborough had maintained, with reference to the record of the examination, that it was inconsistent with practice, and unnecessary to the ends of justice, to record both the questions and the answers, and that the proper method was to present the substance of the responses in an unbroken narrative. Bentham cited the arguments which were afterwards more amply published in his "Rationale of Evidence," in favour of recording the questions, as necessary to a complete understanding of the answers; and maintained that a correct record should contain the whole dialogue between the person examining and the person examined. He also produced precedents, to show that Lord Ellenborough was not justified in stating that this form was inconsistent with practice.

of Colonel Blaquiere, and connected with Lord de Blaquiere.

He was one of the most enthusiastic of men,—often imprudent—led by an excitable temperament, but of the strongest attachment to his friends, and devoted to the furtherance of every improvement—and especially political improvement. After his “Letters from the Mediterranean,” (1813,) he published a “History of the Revolution in Spain,” (1822,) a country in which he spent some time, and became acquainted with its most distinguished men.

He was sent to Greece by the Greek Committee, and discharged his duties there with the utmost zeal. His existence was happiest when he was most engaged in the trouble and turmoil of public life. Improvident in his expenditure, he was often subjected to privations and annoyances,—but was as profuse in his liberality, as he was thoughtless as to the consequence of his prodigal expenditure. He was always ready to make sacrifices for others: but frequently his indignation broke out when he found others less willing to make sacrifices for him. He was brave and reckless,—sensitive and sincere. His was a hopeful, trustful mind, that anticipated nothing but sunshine, until the clouds and darkness came, and found him altogether unprepared for adversity. He embarked at Plymouth, on a mission which he had undertaken for Don Pedro to the Azores, in spite of the warnings of his friends, on board a vessel that was declared not to be seaworthy; but as he supposed that everything depended upon despatch, he would brook no delay, nor listen to any remonstrance. The vessel never reached her destination. There came home a vague story that a vessel resembling the *Ant*, had been seen to founder off Teneriffe. The underwriters paid the amounts for which she was insured; but her precise fate was never ascertained.

Bentham desired Blaquiere to give him some account of himself—of his studies, and of the circumstances which first led him to turn his attention to the Utilitarian philosophy. He says in reply:—

LIEUT. BLAQUIERE TO BENTHAM.

“*Utile, North Yarmouth,*
“*July 7th, 1813.*”

“SIR,—Before I say anything about my own more immediate concerns, I beg to inform you how your works first attracted my attention. Being at Gibraltar in 1805, I saw the critique on the ‘*Traité de Legislation*’ in the Edinburgh Review: and lost no time in sending to England for a copy of the work. I need scarcely add, that its perusal amply repaid the trouble and anxiety experienced before I could get it sent out. You will probably be gratified to know what effect the book produced on my mind at first: I had previously considered law as involved in such intricacy, that it struck me as being quite useless to attempt entering into the study of a science, so apparently abstruse, and beyond the reach of ordinary capacities; but the word legislation contained an irresistible charm: and no sooner had I seen the plain and simple manner in which you teach men to govern, than a new impulse was instantly given to all my thoughts, and I made the ‘*Traité de Legislation*’ a groundwork of future study, in which I have indulged freely, though not very successfully, ever since. From the work having been printed at Paris or Geneva, I forget which, it occurred to me that you were on the continent—in which supposition I have indulged—till meeting Mr Peak here just before I took the liberty of addressing you last. Of the work upon crimes and punishments, I was totally ignorant till my arrival in England, about a year ago. Since that time I have read it twice, and am now going over it the third time. To enumerate the beauties I have discovered in every chapter, would be to exhaust your patience: suffice it to add, that I consider it, and the preceding work, two of the most important published since the days of the immortal Lord Bacon. This may be thought flattery; but believe me, Sir, it is the language of my heart. Anxious to get hold of anything from your pen, I have been making continual researches, and called at

Mr Dulau's, in Soho Square, repeatedly ; but he could give me no information. I then inquired for Mr Dumont, but was equally unsuccessful ; but, on my arrival here, was more fortunate ; for, in the catalogue of a library at Norwich, I found two productions, the perusal of which has given me considerable pleasure. Your 'Defence of Usury,' published in 1787, and another, 'Supply, without Burthen,' in 1795. In the former I read your letter to Dr Smith with peculiar satisfaction. His indiscriminate expressions relative to prodigals and projectors had often struck me as partaking of that species of irascibility in which his countrymen often delight ; but you certainly have the merit of setting him to rights most effectually. I am truly astonished the self-evident truths contained in the last-mentioned pamphlet were not adopted by the Ministry : but why should I be surprised at anything ?

"When on the point of leaving Sicily, where I have still some very valuable correspondence, I received a commission to send out several copies of your work on Legislation, which, of course, I executed. But I very much fear that those in whose hands they are will not have the means of carrying any of your valuable hints into effect. The state of Sicily is not to be described : it is infinitely worse than I have related, in every respect. I beg to call your attention to the character alluded to in the first vol. Lett. XI. p. 350 : his name is Agostino Puleo. He is a man of transcendent abilities

and uncommon learning. He was bred to the law ; and the style his manuscript breathes is precisely in your own way of thinking. His works will, I trust, be given to the world some day or other ; but at present he is the object of suspicion, and has long been that of unmerited persecution. Would to God it were possible to take such a man from among the savages he is doomed to live with ! I am indebted to him for an infinity of information upon every subject. Had it not been for the '*Traité de Legislation*' and '*Agostino Puleo*,' I do not think my work would have ever seen the light. Amongst many allusions made to him in the course of my letters, there is one, p. 609, vol. i., which may have attracted your attention.—Believe me, with utmost respect, your most devoted and obedient servant."

I find this note from Sir James Mackintosh on the subject of "Swear not at all."

SIR JAMES MACKINTOSH TO BENTHAM.

"July 20, 1813.

"MY DEAR SIR,—I have been so exceedingly struck with a reperusal this forenoon, that I begin to doubt whether I was not wrong in advising delay. If it were to be published separately, I should venture to suggest a preface, with two objects : 1. To state that the discussion may be considered as speculative, from the distance of possible application. 2. To disclaim any attack on individuals, in the Oxford case chosen only as a strong illustration."

CHAPTER XVIII.

1813—17. *Æt.* 65—69.

Establishment of New Lanark.—Jovellanos.—Lord Holland.—Codification for Russia.—Ford Abbey.—James Mill.—State of Cambridge University.—Ricardo.—Say.—Abolition of the Slave Trade.—Project of a Chrestomathic School.—Admiral Tchitchagoff.—Jekyll.—Madam Gautier.—Dumont and the Book of Fallacies.—Death of Miranda.—Death of George Wilson.—Mutual Improvement Society.

In the year 1813, Bentham became a partner in the prosperous establishment of New Lanark. It was then directed by Robert Owen and William Allen ;

the Walkers, and one of the Forsters, joined the concern. On the whole it was a fortunate investment; and his influence was always used to keep up the cheerful character of the manufactory, and to administer, as much as possible, to the felicity of the inhabitants, and especially of the younger portion. It was there the first experiments were made of infant school education—that music and dancing were taught to the children—and that corporal punishment and coercive discipline were wholly excluded. And no one can have witnessed the happy consequences without being convinced of the greater efficiency of kindness and gentleness than of severity and harshness. Bentham was attracted by Owen's proposals—who had desired to get rid of his partners, inasmuch as they thwarted his plans of improvement. His theory was, that while he made a manufacturing population more virtuous and happy, he could also render them more productive to their employers: and in this respect he certainly fulfilled his engagements; and Bentham had every reason to be satisfied with the pecuniary results of his investments of money in the New Lanark Mills.

For the last twenty years of Bentham's life, a small bust of Jovellanos stood in his library. Lord Holland had sent it with the following letter, December 3, 1813:—

LORD HOLLAND TO BENTHAM.

"DEAR SIR,—I know that you admire, or at least approve, some of the works of my late excellent friend, Don Gaspar Melchor de Jovellanos,* and I know also, that he set the highest value on your commendation and good opinion. He would have considered it no small honour to have been admitted into Mr Bentham's study; and would have solicited that favour, with as much earnestness as you did a passport to Mexico from him. Will you, therefore, allow me to beg your acceptance of a cast from his bust, which bears a strong resemblance, and which I hope you will

allow to stand in some part of your library?—I am, dear Sir," &c.

In return, a copy of "Swear not at all" was forwarded to his lordship, with this epistle:—

BENTHAM TO LORD HOLLAND.

"Q. S. P., 6th Dec., 1813.

"MY LORD,—Valuable on its own account, as well as that of the worthy original, the bust deserves a yet higher value from the hand it comes from. Your lordship's commands are already obeyed: Señor Jovellanos has already taken his station. It is, in every sense, an obscure one; but it is the best my narrow and crooked workshop, which is my constant sitting-room, can afford.

"As a small return, made according to the measure of my small faculties, do me the honour to accept of an imperfect sketch just made of a venerable lady, who, by the blessing of God, is as much alive as ever she was, even my own *alma mater*: whether, speaking to your lordship, I should have been entitled to say *ours*, is more than I recollect at present. By the inscription, without looking any further, your lordship will see that I am, now in my old age, drawing near to the meeting-house—yea, even to the Quakers. I should be too proud even for a Quaker, could I be permitted to amuse myself with any such imagination as that of having drawn your lordship any part of the way along with me."

Admiral Tchitchagoff consulted Bentham on the publication of a history of the Russian campaign. From a long letter of Bentham's on the subject, I copy an extract, which contains valuable suggestions to any writer engaged in similar literary undertakings:—

BENTHAM TO ADMIRAL TCHITCHAGOFF.

"After what you have said, I shall depend upon your ascribing to the true cause, and thence regarding with complacency rather than displeasure, my availing myself to the full of the liberty you give me, and submitting to your consideration a few suggestions in the way of advice. Addressed by a man who is so much in the habit of literary

* Jovellanos had been murdered in 1812.

composition, to one who has been so much more honourably and efficiently employed, they will stand clear (I flatter myself) of any such imputation as that of officiousness or impertinence.

"1. Whatsoever *papers* you have in your possession, of a nature to serve as *proofs*, or (as we say) as *vouchers*, for the propositions you advance, relative to matter of *fact*—be careful to transmit them in company with the *narrative*: for example, the daily and other periodical *military reports*, such as you received them from day to day, stating the number of *men* of all ranks, in and out of condition for service: *horses*, *cannon*, *carriages*, and so forth. If in *French*, so much the better; though, if there should not be time to get them translated into French, *my brother's children* would, (I suppose,) among them, find Russ and French enough for the purpose.

"2. Send, if possible, either in print or manuscript, a *map* of the route pursued by the armies, as particular as may be, accompanied with *references* from the *narrative*. If stated as being *original*, such map, besides *explaining* the narrative, will help the sale of it.

"3. Remember, on every occasion, to render as well the narrative of *military movements*, as the description of *fixed objects* and *states of things*—as *particular* as possible. Trust as little as possible, to any such expectation as that *assertions*, conceived in *general terms*, unsupported by *particular proofs*, will make the wished for impression on the bulk of readers. Consider that *your own knowledge*, or *interior persuasion*, of the truth of the several assertions, cannot of itself operate as *evidence* on the minds of *strangers*; and that, in default of particular vouchers, for judging of the truth of any such assertions, what an impartial reader will look to, will be their consistency with such facts, as either are established by *especial evidences*, or are in their own nature sufficiently notorious."

Mr Mulford, who has been often referred to in Bentham's correspondence, died in 1814. "His kindness," said

Bentham, "made him a sort of father to me;" and for more than fifty years an intimate correspondence had been carried on between the "Dear Doctor," and the "Dear Councillor;" for, as I have already remarked, such were the terms in which they invariably addressed one another.

Bentham's hopes of being allowed to codify for Russia, were at this time strongly excited. His name and writings were very popular in that country. He had himself some—his brother, who had been so long in the Russian service, many—influential friends at the Court of the Tzar. Dumont had lived long at Petersburg, and his reputation and his labours were so associated with those of his master, that strong expectations were indulged, that authority to prepare a Code would be communicated to him. The Emperor Alexander, who was fond of being considered the patron and protector of literary and learned men, sent to Bentham a diamond ring, which Bentham returned to the Imperial donor, with the seal of the box that contained it unbroken. His conduct has been deemed ungracious—but without reason. He cared nothing about diamond rings; but he desired to legislate for the good of the Russian people. The emperor would have had him communicate his observations—or rather reply to the questionings of a Commission appointed to revise the Russian Codes. But Bentham knew that Commission to be wholly incompetent to the work; and its President, upon whom everything depended, was peculiarly unfitted for his task, so that Bentham refused to take any share in a drama of feebleness and insincerity.*

In the year 1814, Bentham became the occupant of Ford Abbey.† He had never seen it. He was satisfied with

* The correspondence will be found in the Works, vol. iv. p. 514.

† Romilly gives the following lively account of Bentham's sojourn there, (Life, vol. iii. p. 315):—

"Our last visit was to my old and most valuable friend, Jeremy Bentham, at Ford Abbey, in the neighbourhood of Chard: a house which he rents, and which once belonged to Prideaux, the Attorney-general of the Commonwealth.

"I was not a little surprised to find in what a palace my friend was lodged.

"The grandeur and stateliness of the buildings,

seeing a picture of it. He found that £800 a year was asked for it,—and offered half that amount, with a promise to quit it at any time at a month's notice. "In it," said he, "I was like the lady in the lobster. There were special stipulations as to the care of the tapestry in the halls, and the gardens, the deer in the park. I rejoiced in this.—Old tapestry, with all other relics, were always my delight,—and so was garden-ing; and as to the deer,—not having mouths to eat them, and being fond of all creatures, *vulgo dict.* dumb creatures, I was much more disposed to caress, than to kill them."

On another occasion, Bentham thus described Ford Abbey:—

"Ford Abbey was a monkish and magnificent house. I enjoyed it prodigiously. I lived there *en grand seigneur*, with half a dozen people, or more. Everything there was for next to nothing.

"For £100 the improvements I made were astonishing. The walls were stone,—there was abundance of fruit, two or three graperies,—hot-house plants,—a noble green house,—a cloister thirty feet long, with gothic windows. The hall was sixty feet long, and thirty feet high, studded with golden stars; it led from the room where we commonly sat. There was a great dining-parlour, through which we went to the drawing-room, which was lined with tapestry. The dining-room was wainscoted, the windows were modern. One of these days,

form as strange a contrast to his philosophy, as the number and spaciousness of the apartments, the hall, the chapel, the corridors, and the cloisters, do to the modesty and scantiness of his domestic establishment. We found him passing his time, as he has always been passing it since I have known him, which is now more than thirty years, closely applying himself, for six or eight hours a-day, in writing upon laws and legislation, and in composing his Civil and Criminal Codes: and spending the remaining hours of every day in reading, or taking exercise by way of fitting himself for his labours, or, to use his own strangely invented phraseology, 'taking his ante-jentacular and post-prandial walks,' to prepare himself for his task of codification. There is something burlesque enough in this language; but it is impossible to know Bentham, and to have witnessed his benevolence, his disinterestedness, and the zeal with which he has devoted his whole life to the service of his fellow creatures, without admiring and revering him."

some thirty or forty years hence, you shall go there on a pilgrimage,—you, and your children, and Mrs B., and I will come back into existence. It is about three miles from Chard. It is just in Devon. A piece of land belonging to it is in Somerset, which was joined to Devon by a log-of-wood bridge. There was plenty of water,—ponds running one into another, forming a little cascade,—two contiguous, and another beside. There was a noble walk, considerably above a quarter of a mile, lined with horse-chestnuts, twenty-five or thirty feet wide. On one side were the ponds, on the other the park. My walk was of three-quarters of an hour before breakfast, round the park. There were beautiful views, mounts, wildernesses, and a grove. It had all the features of beauty imaginable. Antiquities of various ages. The monks had known how to choose. The monks' cells had fine carvings in stone,—and there were eloquent echoes, and rooms locked up which were full of ghosts. A convent is always the best guide to beautiful scenery. The monks lived there in great splendour, and were worshipped. I left behind me a great reputation; for I had succeeded a brute, and acted with common kindness. A country gentleman lived at the priory, a mile off, who was not a brute, but was a man of low habits. There was a Mr Bragge, who had a good estate, and had been a gentleman-commoner at Oxford. He was a great gossip. We were on good terms. When I went there I migrated into a state of affluence. I had been before in one of penury, and scarcely felt as if what I had were my own.

"Ford Abbey would excite all your sensibilities. O what a quantity of felicity there was in the room where the cartoons were! They were beautifully executed in tapestry. One of the ceilings was moulded in plaster, representing historical subjects. In that room was an organ. About half of the room was lined with settees of a kind of stuff, with tufts of the date of the Commonwealth. They had originally been of a bright green, but the light had made them brown. In that saloon we

used to sit and work—Mill in one place—I in another. This was in the summer. In the cold weather we adjourned to the drawing-room, where the tapestry was, and we had means of warmth. We sat at the upper end—the travellers at the lower end. I never excluded anybody. Visitors crowded to the place. Anne must have feathered her nest. She was sometimes a little crusty to them. They used to bring provisions and feed in the gardens. I accommodated everybody to the utmost. The present possessor is a hateful fellow. I had a sad plague to keep out of a lawsuit. He was litigious, and looked upon himself the poorer for anything that anybody got by his means. I was there nearly five years. I was in treaty with the owner to keep it for my life. It was put an end to by my losing £8000 or £10,000 through —. But when I got so much correspondence, it became more and more valuable to me. The loss of time in going and coming became serious. It was the loss of a week in every year, which I could ill afford. I took three servants from hence. There were then two old women taken in. A footman was also there, who worked in the garden. There was a regular gardener, and a gardener under him, and a labourer always there, and two or three other labourers and women occasionally in the garden.”

He engaged for the residence at Ford Abbey with only a portion of the estate for £315 a-year; and when he got settled there, his attachment to it was greatly strengthened, and he was very unwilling to think of being forced to leave it. In one of his letters he says:—“A visiter is expected from London, who has some notion of taking the holy place. Should the rascal—any such rascal—come, I am determined to do one of two things—either to murder him, or to treat him well. The latter course would have the advantage of smoothing the path to a number of little negotiations for which there may be a demand. How to murder the fellow I don’t understand—never having seen or read the German play which

gives instructions, it is said, on that subject.”

Battledore and shuttlecock were among the amusements of Ford Abbey, in which Bentham participated. On one occasion a supply was sent for to London: gay, instead of useful ones, were forwarded. “No shuttlecocks,” writes Mr B. (9th Nov.) “but these tawdry ones; all glitter, no worth; just like the age, and a startling exemplification, and conclusive proof of the degeneracy. Pointed epigrams, yes; but pointed shuttlecocks never were, nor ever will be, good for anything. These, indeed, have not yet been tried; but trial is not necessary to condemnation in the case of such a set of shuttlecocks. The balls, by the eye of faith, I perceive, are orthodox,—the primitive firmness is perceptible to the touch, and Horace’s *totus teres atque rotundus* may, with truth, be predicated of them.”

Many of his letters contain references to the enjoyments which surrounded him at Ford Abbey.

“*Ford Abbey, 24th Nov. 1814.*”

“Much good may it do you with your bad weather,—we have none such here, though, to be sure, one night did procure us frost all over the ponds, perhaps one-fourth of an inch thick. The worst was, it punished the poor dear plants, that were looking so beautiful in the front, two tier on each side, in as high perfection as in the middle of summer—I hope not to *death*. The others are still in high perfection, facing the sun in the great hall. The cloisters are now the orangery, with room for vibrating, an operation performed regularly every day after dinner. Everybody is in high health.”

In another letter:—

“Nobody that could stay here would go from hence. Nobody is so well anywhere else as everybody is here.

“Fogs—he asks—fogs? What is the meaning of the word Fog? No such word is to be found in the vocabulary of Ford Abbey. Rains and sunshine *à la bonne heure*. April weather,

except that it is warmer than April is with you : about 56°, I think it was, out of doors." (Dec. 13, 1814.)

In the course of Bentham's intercourse with Mill, little misunderstandings sometimes took place ; and as the infirmities even of great minds may be instructive to mankind at large, I will introduce a passage or two from a letter of Mill, on an occasion when, after some years of intimate intercourse, they agreed that a temporary separation would be for the happiness of both.

JAMES MILL TO BENTHAM.

" *September 19, 1814.*

" MY DEAR SIR,—I think it is necessary we should come to some little explanation, and that, according to your most excellent rule, not with a view to the past but the future, that we may agree about what is best to be hereafter done.

" I see that you have extracted umbrage from some part of my behaviour ; and have expressed it by deportment so strongly, that I have seriously debated with myself whether propriety permitted that I should remain any longer in your house. I considered, however, that I could not suddenly depart, without proclaiming to the world, that there was a quarrel between us ; and this, I think, for the sake of both of us, and more especially the cause which has been the great bond of connexion between us, we should carefully endeavour to avoid. The number of those is not small who wait for our halting. The infirmities in the temper of philosophers have always been a handle to deny their principles ; and the infirmities we have will be represented as by no means small, if, in the relation in which we stand, we do not avoid showing to the world we cannot agree. Where two people disagree, each person tells his own story, as much to his own advantage, as much to the disadvantage of the other, at least as he conceives the circumstances to be, that is, in general, as much as the circumstances will permit. The rule of the world, I observe, on these occasions is, to believe much of the evil which each says of the other, and very little of the

good which each says of himself. Both therefore suffer.

" In reflecting upon the restraint which the duty which we owe to our principles, —to that system of important truths of which you have the immortal honour to be the author, but of which I am a most faithful and fervent disciple—and hitherto, I have fancied, my master's favourite disciple ; in reflecting, I say, upon the restraint which regard for the interest of our system should lay upon the conduct of both of us, I have considered that there was nobody at all so likely to be your real successor as myself. Of talents it would be easy to find many superior. But, in the first place, I hardly know of anybody who has so completely taken up the principles, and is so thoroughly of the same way of thinking with yourself. In the next place, there are very few who have so much of the necessary previous discipline, my antecedent years having been wholly occupied in acquiring it. And in the last place, I am pretty sure you cannot think of any other person whose whole life will be devoted to the propagation of the system. It so rarely happens, or can happen, in the present state of society, that a man qualified for the propagation should not have some occupation, some call or another, to prevent his employing for that purpose much of his time, that without any overweening conceit of myself, I have often reflected upon it as a very fortunate coincidence, that any man with views and propensities of such rare occurrence as mine, should happen to come in toward the close of your career to carry on the work without any intermission. No one is more aware than yourself of the obstacles which retard the propagation of your principles. And the occurrence of an interval, without any successor whose labours might press them on the public attention after you are gone, and permit no period of oblivion, might add, no one can foresee how much, to the causes of retardation. It is this relation, then, in which we stand to the grand cause—to your own cause,—which makes it one of the strongest wishes of my heart that nothing should occur which may

make other people believe there is any interruption to our friendship.

"For this purpose, I am of opinion, that it will be necessary not to live so much together. I cannot help perceiving; either that you are growing more and more difficult to please, or, that I am losing my power of pleasing; or perhaps there is something in being too much in one another's company, which often makes people stale to one another, and is often fatal, without any other cause, to the happiness of the most indissoluble connexions.

"I should contemplate, therefore, with great dread, the passing another summer with you, and think that we ought by no means to put our friendship to so severe a test. I am desirous of staying with you this season, as long as you yourself continue in the country, both for the sake of appearance, and because you have had no time to make any other arrangement for society: and I shall remain with so much the deeper an interest, that it is a pleasure not to be renewed. For I can most truly assure you, that at no moment were you ever more an object to me of reverence, and also of affection, than at the present; and nothing on my part shall be left undone while I here remain, to render my presence agreeable to you: perhaps, I ought rather to say, as little disagreeable as possible."

After some details respecting family and pecuniary arrangements, he concludes:—

"As I propose all this most sincerely, with a view of preserving our friendship—and as the only means, in my opinion, of doing so,—the explanation being thus made, I think we should begin to act towards one another without any allusion whatsoever towards the past; talk together, and walk together, looking forward solely, never back; and as if this arrangement had been the effect of the most amicable consultation, we can talk about our studies, and about everything else, as if no umbrage had ever existed: and thus we shall not only add to the comfort of each other during the limited time we shall be together, we shall also avoid the unplea-

sant observations which will be made upon us by other people. For my part, I have been at pains to conceal even from my wife that there is any coldness between us. I am strongly in hopes that the idea of the limitation will give an additional interest to our society, and overbalance the effects of a too long and uninterrupted intimacy, which I believe to be the great cause—for there is such a disparity between the apparent cause, my riding out a few times in the morning with Mr Hume, to take advantage of his horses in seeing a little of the country, instead of walking with you, and the great umbrage which you have extracted,—that the disposition must have been prepared by other causes, and only happened first to manifest itself on that occasion.

"I remain, with an esteem which can hardly be added to, and which, I am sure, will never be diminished, my dear Friend and Master, most affectionately yours."

This letter admirably exhibits the character of Mill's mind, not amiable, but most sagacious—impatient of contradiction or of check, but penetrating and philosophical. No man ever reasoned with stronger logical powers—no man had ever a more accurate perception of truth, or a more condensed form of expression. No man was ever more efficient as a controversialist, or more felicitous in the exposure of a fallacy or a flaw. His weaknesses were those of temper. When listened to, he was admirable; it was only when the tide of his feelings, and the peculiarities of his nature met with resistance, that he appeared in an unattractive light. Of his intellectual capacity, Bentham thought most highly: but the scholar had none of the gentleness—none of the tenderness for the feelings of others, which distinguished the teacher. "He argues against oppression," said Bentham—"less because he loves the oppressed many, than because he hates the oppressing few. He fights for the people—not that he cares for the suffering people, but that he cannot tolerate the suffering-creating rulers." While Bentham lived at Ford

Abbey, "Mill," said Bentham, "his wife and family, and a servant, were there the whole of the time; and so it was at Barrow Green—only one summer was I there without Mill. Mill came in the train of Sir John Stuart, a man of good estate, married to a lady of quality. Mill's father had been his tenant. Sir John finding Mill something different from other men, sent him to Edinburgh for education—there he became bearleader to a Marquis,* who gave him an annuity. Through Sir John, Mill got the faculty of attending Parliament. He was writing his *British India*, while I was writing all manner of things. He was also writing for the *Edinburgh Review*. His work got him the situation he holds. Mill thought it was through Canning's suggestion, that they applied to him. I brought him and his family hither from Pentonville. I put them into Milton's house, where his family were all at ease. Afterwards I gave him the lease of the house he holds, and put it into repairs for him. He and his family lived with me a half of every year, from 1808 to 1817 inclusive. When I took up Mill he was in great distress, and on the point of migrating to Caen. Our scheme, which we talked of for years, was to go to Caracas, which, if Miranda had prospered, we should have undoubtedly done."†

A letter from one of Bentham's young friends, gives rather an unfavourable description of Cambridge University a quarter of a century ago:—

"The influx of fresh men," he says, "has sent those last entered into the town. My tutor, (Mr Barnes,) to whom I introduced myself, when I had provided myself with a cap and gown, is a fat, jolly, athletic man, about 50, looking good humour, full of jokes, but with a stock of bitter jibes and taunts for those who come to his lectures unprepared. His subordinate is a tall, grave personage, of solemn demeanour, exceedingly devout, but withal rather pleasant, unless he suspects that meet reverence is not paid him. Bows and prostrations are there-

fore much in demand, though latitudinarian irreverences has somewhat curtailed them. It is a heinous offence to laugh at his lectures; and an eminent virtue to admire his lamp, on whose construction he greatly prides himself. When proctor, he exhibited most exemplary diligence in recovering the frail ones of both sexes, and particularly in sending certain damsels to the spinning-house, and of sending under-graduates to rural meditations. Men rejoice here in visiting the chapel nine times in seven days: at 7 o'clock in the morning,—stay half-an-hour: mathematics at 8,—out at 9: classes at 10,—out at 11 o'clock: dine at 3: sup at 9. W. don't care for classics. At Trinity they are honoured,—at St John's respected,—at the smaller Colleges despised. Reading men occupy themselves with mathematics exclusively: these alone can bring them with honour through the senate house. The claim of a wrangler to the substantial honours of a fellowship is seldom rejected. So classics are for the most part voted a bore. Others are scarcely ever mentioned,—a little of Locke and Paley, but little indeed. Some even read hard,—one man reads thirteen hours a day,—but seven or eight hours are the golden mean. Study and success then, bring, through a four-years' vista, the prospect of £250 per annum."

I find this letter from Rome, without a signature. I suspect the writer to have been Lord Holland:—

"Rome, December, 1814.

"For those who require a good climate, Rome is not a place to spend the winter in. The houses are falling into decay, and the streets are filled with wretchedness and filth; but the antiquities are more easy of access than formerly; and, in spite of all that has been removed, the monuments of architecture, painting, and sculpture, are more numerous than in any country in Europe. The society is chiefly that of strangers; and a large, not unpleasant, English colony. One has, too, an opportunity in contemplating fallen grandeur in men, with the ruins of the greatest empire in

* The Marquis of Tweeddale.

† See above, p. 457.

the world; for here are nearly as many dethroned monarchs as crumbling palaces: Charles IV., the Queen of Etruria, King of Holland; and Joseph and Jerome, it is said, have expressed a wish to swell this number, but both have been refused. Lucien is a man of sense, and very much attached to his wife and family: ambitious of the character of a man of letters, and pleased with any allusion to his poem, which he seems to think has, by this time, made its appearance in England. He is a Romish prince, but has, I suspect, accepted that title more as a mark of protection, and a sort of earnest for the security of his person, than from any value he attaches to so empty a title. He lives on good terms with his brother Louis and Cardinal Fesch. I do not know whether he has any communication with Napoleon. Several English have lately visited the latter at Elba, and he talked to them in the most open, cheerful, and intelligent manner, chiefly on past events, with great clearness, for two or three hours; and spoke with a calmness, amounting to insensibility, of many past transactions, as if he had seen them from an eminence, but as if they reflected neither credit nor discredit upon himself. He was only animated in relating battles, especially those of Egypt; and was highly diverted at hearing one of the Pacha's secretaries had assumed his name—*Ainsi il s'appelle Buonaparte*. and then laughed excessively. They would find great difficulty, he said, in settling affairs at the Congress, '*mais cela ne me regarde pas; mon rôle est fini; Je me regarde comme mort.*' He was, he added, at Elba, because he wished to be too powerful. England was now at her height, and must soon begin to decline; he did not know how, or when, but decline she must. [Does this not look like fatalism?] He spoke good humouredly of Madame de Staël: said she was always in opposition, but always disinterested."

BENTHAM TO MR KOE.

"Ford Abbey, 15th December, 1814.

"Thanks for your about-nothing-at-all letter.

"Ricardo and Say came here yesterday to dinner unexpected; whether they go, however, or no, to-morrow, as was originally intended, I know not. Both very intelligent and pleasant men, and both seem highly pleased. There are two or three long letters to friend Allen, from Clarkson, giving an account of his negotiation at Paris for the abolition of the Slave Trade, in September and October last, extremely curious, and not a little hope-inspiring. By Wellington he was received with the utmost appearance of frankness and cordiality: Louis XVIII. not only consenting, but zealous, acknowledging himself terrified into what was done, but determined that the trade shall not outlast the five years. He gave an account of interviews with a multitude of the negotiating people at Vienna, and of the measures taken by Clarkson, with the assistance of Louis and several of his Ministers, for disseminating truth to inform and govern the public mind in France."

"Ford Abbey, 20th December, 1814.

"I have been consuming two or three days in indexing 'Bell's Elements of Tuition.' But I am all admiration at the genius and talent displayed in the work, (when I came into the marrow of it, which was mismatched by the quantity of introductory quibblish matter,) and at the inestimable utility of it." *

The Code of Judicature for the Territories of the Hudson's Bay Company was, at Dumont's suggestion, sent, by Lord Selkirk, to Bentham, for correction and approval, (1815;) but I cannot discover whether he undertook the task.

Some difficulties with the owner of Ford Abbey, set Bentham rambling for some other country residence. He went to see a place in Devonshire, called Monachorum, but found it would not do. "It had no tolerable garden, nor physical possibility of making one." He spent one day with his friends, the Northmores, at Cleeve, and says in one of his

* See the use made of this work in the Chrestomathia, Works, vol. viii. p. 46 et seq.

letters—"Don't tell anybody of it, for I should never hear the last of it. I am in love with Mrs N. She is a most accomplished creature, bearing her faculties most meekly, at least to your humble servant. M. says (but it is jealousy) that she is not handsome enough for me."

BENTHAM TO MR KOE.

"*Ford Abbey, 6th July, 1815.*

"I see the Ministry have got the lawyers to quash the D. of C.'s [Clarence's] marriage. Oh, rare lawyers! If the public money had been got for it, it would have been good enough; nobody would have meddled with it. This affair must, I think, make a fine sensation where you are.

"Mill and I are mourning the death of all hopes of a free government in France. The name of a man who has cut so many French throats as have been cut by Wellington, will serve as an essential cover for the most flagrant violation of any the most sacred and universally beneficial engagements. In pursuance of the proclamation of Louis, Carnot, with a multitude of *et ceteras*, all who could have operated most effectually in the character of checks, will lose their heads. Carnot had better have left poor Louis XVI.'s on its shoulders. Brougham will lament his friend; but, perhaps, he was not of the number of conspirators. All that has been done since Louis XVIII.'s Hegira, will be as void as the Cumberland marriage."

In 1815, Bentham was much occupied in his plan for establishing a Chrestomathic school. Brougham, Place, Ricardo, W. Allen, Sir James Mackintosh, and several other persons less known had offered pecuniary and personal aid. There were to have been seven conductors, and the engagement on their part was to keep the school open for three years at least. The money was intended to be raised in £10 shares, and Bentham was willing to have given a part of his garden for the erection of the school. But the project was never effected.*

Admiral Tchitchagoff, in announcing his intention of going to the continent, says:—

ADMIRAL TCHITCHAGOFF TO BENTHAM.

"*London, 13th July, 1815.*

"I must confidentially tell you, that in the present state of things, when the continent is going to be open to all those who have sufficiently admired and enjoyed English liberty, with the alien act; her riches without guineas, and an immense debt; her ruinous dearness, and the abundance in getting the minimum of things for the maximum of money; those, I say, who have sufficiently tried all these luxuries and delights, may live, by way of a change, to see the countries where a shilling will do as much as six; and, after having satisfied their sublime mental desires, live a little for the satisfaction of their bodies. What I tell you is a secret, for nobody knows it here, nor thinks so, and, therefore, you must not compromise me. Now, the fact is, that in a few weeks I am going to leave this country."

JEAN BAPTISTE SAY TO BENTHAM.

(Translation.)

"*Paris, 2d August, 1815.*

"I have received, honoured master, your Chrestomathic Tables. I am studying them, but could not delay telling you how much I am honoured by your remembrance and your gift. You will labour to your last day for the improvement of the human race; and the human race will not know the extent of its obligations to you, till it has learned your lessons—that is, till we are gone. Our fate is to die at our labour—but our labour will not be lost.

"I have just published a little Catechism of Political Economy, for the better circulation of a few important truths. It is short—it is clear—it is in dialogues; and the principal difficulties are solved in a manner accessible to all minds and all fortunes. If little books like this were circulated in all countries, these

* See "Chrestomathia," at the commencement of vol. viii. of the Works, consisting of a Collec-

tion of the Papers prepared by Bentham in reference to this project.

ideas would gradually make their way ; and it would be soon seen whether governments are really such a necessary part of society ; and if they will then be able to make nations pay so dearly for benefits which they do not confer.

"They are trying to build up here a rotten throne. It cannot stand. Your ministers are throwing dust in vulgar eyes ; but in the eyes of the thoughtful they are playing a miserable game. Out of this frightful chaos freedom will spring. Meanwhile what sufferings and sins ! I write to you in the midst of tears. There is no satisfaction anywhere but in the newspapers, which are written by the police of the Bourbons, and dictated by the Allied Powers."

JOSEPH JEKYLL TO BENTHAM.

"DEAR BENTHAM,—My Cæstus and Arms on the Western Circuit are laid aside, as I was appointed, in June last, a Master in Chancery. This will account for the disappointment I must bear in not accepting your kind and hospitable invitation to Ford Abbey, where I should have felt sincere pleasure in taking so old and so valuable a friend by the hand.

"This summer, I too am to play the part of the London Hermit, as it is the lot of the newly-appointed Master to reside in town during his first long vacation. To so inveterate a metropolitan as myself this is no grievance ; but I have two Westminster boys who 'babble of green fields,' and desire a suburban villa for their holidays. Miss V—— and Miss F—— have aided my inquiry, but it has hitherto been fruitless, and I adopt other resources among friends resident in the vicinity of London.

"With the aforesaid most excellent and amiable persons I sat under a great tree in the gardens of little Holland House last Sunday, and discoursed of happy times in former days at Bowood.

"Dumont, I trust, will not take root in Switzerland, notwithstanding his public functions. Your infant Grecian I should like to have seen ; and I wish you would use your pen to convince mankind it is not wise to consume the whole period between infancy and man-

hood, at a public school, in acquiring two dead languages and nothing else.

"Good Father Abbot, give me your benison ; and if a Master in Chancery should be desirous at any time of taking sanctuary in the west, I rest well assured Ford Abbey would grant it.—Believe me, dear Bentham, most truly yours.

"*Spring Gardens,*
"August 4, 1815."

MADAME GAUTIER TO BENTHAM.

"*Paris, August, 1815.*

"Our position is dreadful. The question is nothing less than 'To be or not to be.' Passions are excited even to the height of despair, and reason is no longer heard. The Allied Monarchs are, I fancy, much embarrassed. We hardly know what to decide on. The oppressions of the foreign troops are terrible ; but this is not the worst—for our internal dissensions are far more afflictive."

ADMIRAL TCHITCHAGOFF TO BENTHAM.

"*London, 31st August, 1815.*

"You think, as well as some Poles do, that something good has been done for them ; I see nothing but the extreme weakness on the side of those who did it, and an extra degradation on those whom it has been done for. All is a complete failure in the general plan : instead of restoration, partition upon partition—instead of liberty, the greater and more shameful slavery for the future. Then abuses and misapplications of the most sacred words and sentiments—a kingdom cut out of a Duchy—submission to the most arbitrary power, tyrannical by nature, imbecile by circumstances—a nationality dispersed over countries the most inimical to that sentiment, and put under their fatal yoke. I may as well say that the nationality of the Jews is in existence. They enjoy free commerce everywhere, borrow a variety of light and civilisation, and preserve the patriotic feeling in their hearts, with the seal of their nationality in their breeches, indelibly impressed by the circumcision."

Bentham had suggested to Tchitchagoff, that he should write his own

memoirs, as connected with Russian politics. He answers, that the details would be too disgusting for instruction, even were it possible to find a public opinion in Russia; but that there is none. That he should have little pleasure in unveiling ignorance and arrogance,—blunders, barbarity, and weakness worse than all. Moreover, that he could not bring to slavery and despotism English feelings in English phraseology: still, to please Bentham, and for Bentham, he would write his own biography; but the project was probably unexecuted,—in such a state of mind the task must have been most uninviting.

At this time I find him saying of Ford Abbey:—

“It is the theatre of great felicity to a number of people, and that not a very inconsiderable. Not an angry word is ever heard in it. Mrs S. (the house-keeper) governs like an angel. Neighbours all highly cordial, even though not visited. Music and dancing, though I hate dancing. Gentle and simple mix. Crowds come and dance, and Mrs S. at the head of them.”

DUMONT TO BENTHAM.

“*Geneva, 23d March, 1816.*

(Translation.)

“Mad. de Staël has been reading in society the Book of Fallacies, and with great success. The division into *Ins* and *Outs*, and *Eithersides*, does not suit the continent, at least so thought Sismondi, and so I changed it. We are diligently labouring at the organization of our judiciary establishment. But we have all to do, and few fitting doers. You would not believe—I could not believe till I had experience of it, how these fifteen years of French vassalage and continued war have turned men away from study, and lowered the tone of the public mind. We were rapidly hastening to be nothing but a degraded provincial town. In another twenty years, and our ancient Geneva would not have been to be recognised. Only four or five distinguished men had the French régime left. All besides was idleness, mediocrity, and military pas-

sion. It is fearful to think how easily mankind may descend from an enlightened civilisation to a position where the culture of the intellect is no longer a necessity. We may hope to rise, if not so high as we were, yet higher than we are. Our constitution has not the stimulants of our old republic,—but our distinction was dearly purchased by dissensions,—and we gain something if we lose much. Besides, after long agitation, men seek intellectual and physical repose. I am not popular here,—I am considered the man of opposition: not that the accusation is true, but that I insist on the need of inquiry, and inquiry displeases the ruling people. But this is a general law, influencing us here,—as it influences everybody elsewhere.”

At this period occurred George Wilson's death. Commissioner Adam thus speaks of it in a letter to Bentham, 12th April, 1828:—

“Fifty years ago, you and I dined on sheep's head, and discussed ‘Hume's Philosophy.’ George Wilson was in good spirits, and tolerable health for the three first years of my sojournment in this country. At 10 o'clock in the evening of [Monday, the 10th June,] 1816,* he came with me to the door of his house, after a most agreeable evening's conversation. He was in cheerful spirits, and a most collected state of mind, considering the malady which had attacked him when he left England. On the following morning, at breakfast-time, I received information of his death, which had been so composed that the bed-clothes were not moved. I have not been able to supply his place, as you may well conceive.”

On the 14th July, 1816, Bentham's friend, General Miranda, also died, at Cadiz, after having been imprisoned four years, in violation of a capitulation. His death was thus announced:—

“14th July, 1816.

“This day, at five minutes past one in the morning, my beloved master, Don

* The day of the month is filled in from the Memoirs of Romilly, vol. iii. p. 252.

Francis de Miranda, resigned his spirit to the Creator; the curates and monks would not allow me to give him any funeral rites, therefore, in the same state in which he expired, with mattress, sheets, and other bed-clothes, they seized hold of him and carried him away for interment; they immediately afterwards came and took away his clothes, and everything belonging to him, to burn them."

The Mutual Improvement Society, which was established by a number of young men, for the purpose of furthering the object announced in their title, by debates on subjects of popular interest, applied to Bentham to become their president. He answered them thus:—

"Ford Abbey, near Chard,

"July 31, 1817.

"SIR,—Your letter, dated the 23d of this month, put into my hands the next day, or the day after, found me in the hurry of a removal, or it would sooner have received from me that answer, to which the importance of it gives it so just a title.

"Yes:—since a patron you would have, the choice you have thus made of one,—I say it without scruple,—does you real honour:—the declaration made of it, is a declaration of independence. Yes;—in the choice thus made, this (if I do not misconceive you) was your main, if not your only, object; and, for the accomplishment of this object, a more effectual expedient could not have been devised. Dignified, yet unassuming, 'No patron,' it makes you say, 'do we need: no patron will we have: to keep out of our chair every sort of *person*, by the weight of whose influence we might be oppressed, we will have nothing in it but a *name*.' As to what concerns the *person* of the individual, so completely is it unknown,—the sort of homage paid to the *name*, will of course, like that paid to a worthy of ancient times, have been the work, not of observation, but of imagination: the object to which it is paid is not an *individual*, but a *species*; a species of *character*, the idea of which has, in the minds in question, come, somehow or other, to attach itself to that name.

"Meantime, Sir, how far soever from correct, with reference to the person to whose name it is attached, the picture thus drawn of his character, affords—which is much more material—a most correct conception of the character of the *Society*, by which it has been drawn. It shows what are your favourite pleasures, your desires, your objects, your pursuits. It proves in your favour a number of honourable *negatives*. It proves,—and that to a certainty,—by what endowments your preference has not been determined: that among them are,—hereditary opulence, acquired opulence, factitious dignity, hereditary power, political eminence; it shows that, in your scale of worth, there is something else that stands above them all: above all those exterior and accidental appendages, which are so perfectly distinct from good desert, and so far from affording a demonstration, not to say a presumption, of it.

"All this is very good. But the strange thing is this: in your Society, as in others, the degree in which the common objects are attainable,—this degree, and consequently the degree of prosperity, has for its measure the fullness of the common purse; which fullness, again, has for its measure the number of the members, of whose institution the common stock is formed.

"Thus far there is nothing remarkable. But that which to my eyes is not only remarkable, but no less wonderful than it cannot but be gratifying, is, how it should have happened, that, from a name so obscure, any prospect of additional '*prosperity*',—for *prosperity* is what you say you look for in the choice,—can have been derived.—This is indeed to me a perfect mystery. But, since such is your opinion,—for if it had not been, it is not in the nature of the case that you should have given it as such,—since such, then, is your opinion, it belongs not to me to controvert it. In the correctness of it you have had an unquestionable interest: by that interest,—at any rate, by the view you yourselves have taken of that interest,—you cannot but have been governed. You have given it your consideration: you have

made your inquiries : in this consideration, in these inquiries, months,—not to say years,—have been occupied. Of this consideration, and these inquiries, such, then, (it seems,) has been the result: a result, by which (I cannot but repeat it) I have not been a whit less surprised than gratified. Well then, my worthy friends,—in form my solicitors, in reality and effect my patrons,—take to yourselves this name, of which, somehow or other, you have become enamoured. Much good may it do you : much and long may it serve you ; and, how little soever it may serve you while he to whom it belongs is living,—let him confess to you his weakness,—he is not altogether without the hope, that, in one way or other, it may be more or less of use to you after his death ; in which case, you cannot have long to wait for it. At that period it is, that, in the imagination of posterity, all that was good in the individual swells out of all proportion : while, except in the case where depravity is itself the source of the distinction, all that was bad in him slides,—if not altogether out of memory, at any rate out of notice.

“ Not that, considering who you have to deal with, the matter could have been settled thus easily, were it not that the situation, in which your good opinion

has thus placed him, belongs,—as far as he can understand,—belongs, nearly, if not altogether, to the class of *sinecures*. True it is, that, with one exception, a sinecure is a sort of office, to the existence of which he is known to have insuperable objections ; objections to the existence of the *sort* of office, and, consequently, to any acceptance to be given, on his part, to any office of that *sort*. One exception, however, there is ; and this is, where the *sine cure* is, at the same time, *sine pay* ; and, in the instance here in question, this exception being actually exemplified, so, therefore, it is, that, in this same instance, principle, he is happy to find, does not stand in the way of preferment.

“ Accept my testimony to the honour which the Society has done itself, by the choice of such a Secretary,—a Secretary, in whose mode of giving expression to its sentiments, the utility of the Society is so well exemplified,—accept this, my unfeigned acknowledgment,—and believe me, with the truest respect and affection, Sir, yours and the Society’s ever faithful friend and servant,

“ JEREMY BENTHAM.

“ *To Mr Thomas Tucker,
Secretary to the Society
for Mutual Improvement.*”

CHAPTER XIX.

1817—1819. Æt. 69—71.

Reform Catechism.—Dumont and Law Reform in Geneva.—Burdett, and Parliamentary Reform.—The Ballot.—Bickersteth.—Anarchical Fallacies.—Ricardo.—T. W. Gilmer and Codification for the United States.—Vote of Thanks from the Householders of Westminster.—Say on French Politics.—Cambronero.—Improvement of Irish Labourers in New York.—Death of Romilly.—Major Cartwright.—Extracts from Note Book.

AN application to Bentham to be allowed to publish an analysis of the Reform Catechism, and his answer thereto, follow :—

“ *London, August 12, 1817.*

“ SIR,—The object of this letter is to beg your consent to my making a con-

cise analysis of your invaluable work on Reform, which I do not feel quite authorized in doing without the author’s concurrence. That work particularly, I regard as a revelation ; and till it appeared, I always mistook the effect for the *cause* ; and, till *corrupted* by it, was one of those useless beings generally

denominated a moderate Whig,—ignorant of the necessity or principles of reform, and advocating trienniality.

"My whole publication will be an octavo, principally on the finance and paper system,—a system which, if many years longer persevered in, will, I am quite confident, produce an explosion, the fatal consequences of which few have the most distant conception of, because few have ever reflected on them. I believe it is near at hand, and am also convinced the corruption of the House of Commons is the cause; and the only remedy, or means of averting the impending danger, annual election of representatives of a most extended suffrage—in short, the ascendancy of the people.

"The analysis would, I think, occupy thirty printed pages, and I should shortly notice it in the title-page. In the course of two months, I hope to send you a copy of the whole. Should you, however, be desirous of seeing the plagiarisms from your own work, previous to the publication, it shall of course be sent to you in loose sheets.

"A common cause, and the emancipating an enslaved and immoralized country, will, I hope, be a sufficient apology for the great liberty I have taken in making this request. As I have written more strongly and treasonably than even yourself, I am desirous of withholding my name, unless you should desire to know to whom you have allowed such a liberty, when it will be most certainly communicated.—With the highest respect, I remain, Sir, (intending to be commonly called or known by the name of)

"IMLAC,

"*Stet nomen in umbrâ.*

"*Mr Keys, Coleman Street, City.*"

"*Ford Abbey, 19th August, 1817.*

"SIR,—I am much flattered by the effect declared to have been produced by my work, on the mind of an author, whose letter affords so strong a prepossession in favour of his intended publication. As to the proposed analysis, I know not of any right I should have to prevent it; and I am sure, I have no such desire. As to the plagiarisms you

speak of, they may be as numerous and extensive as you please. I have therefore no need of troubling you to send any of them to me beforehand. Desirous as you declare yourself to be of withholding your name, and for the important reasons which you mention, I will not willingly, without special reason, expose myself to the eventual suspicion of having, through design or neglect, given you cause to repent the confidence you do me the honour to offer to repose in me.

"For a work 'stronger and more treasonable' than mine, have you secured a publisher? If yes, I should be obliged to you for the information. Although some weeks ago, Hunter had sold all but about 100 of an edition of 750, above a fortnight ago he declined either publishing a second edition, or so much as putting in any more advertisements of the first; and this declaredly through fear of prosecution, though for almost these nine months it has been circulating unprosecuted.

"P.S.—Though for some time my residence will be as above, the most commodious direction will always be to my town house, in Queen's Square Place."

The consent thus obtained seems not to have been acted on by the party who requested it; but the ensuing year, Mr Wooler, the editor of the *Black Dwarf*, to whom the project was probably suggested by an acquaintance with the substance of this correspondence, requested permission to publish the work in a cheap form, in numbers, "making such alterations on the style as might render it more easy of comprehension to the general reader." This application was also acceded to, and the work was published in 1818.

A long letter from Dumont, of February, 1818, gives an interesting account of his struggles for Law Reform at Geneva, and of the resistance of the men of routine. For example:—

(Translation.)

"I have been standing out for brevity and simplicity. I wanted this phrase to be adopted. '*Punishment—1st, Imprisonment; 2d, Fine.*' They would

have the old phraseology. 'He who shall be guilty of such and such crime, shall be punished by,' &c. I show the advantage of compression—the promineny given to the punishment—that its effect is drowned, in long phrases. They repeat—they reply—eleven persons are heard. I am beaten. The phrase gains the suit against the word. Again: They want, in the chapters of offences, to begin by the greatest (murder,) and descend to the least. I want to take the lower offences, because they are most common, because they concern everybody—and proceed, step by step, towards aggravations as connected with all offences. I wish to make punishment for some offences peremptory and certain,—they won't hear of this. I have said that the criminal must be taught that a given penalty is inevitable for a given offence, that the Judges ought to be armed against their own weaknesses, and their severity be justified in the eyes of the world: but reasoning fails—the innate love of something arbitrary triumphs.

"For political news, I shall only tell you, that I am in disgrace with my sovereign—not that I am banished to my lands, or exiled from his royal presence. The truth is, that I have, but I know not how, horridly wounded one aristocratic party, in a discourse I uttered, (being a little heated by my abode in Paris,) on the subject of a riot for pretended regrating of potatoes. This brought us a letter from Berne, the directing canton, which promised prompt help to the Government against the malcontents; and recommended that no change should be made in the constitution, unless to strengthen the executive; that a turbulent minority ought not to be listened to; and that no views of improvement could come from below (*d'en bas*.) I had been advised to say nothing about this delicate point; but in speaking of the riot, I said it was the fruit of a popular error on the subject of regrating—an error which the Government itself had sanctioned, by stating, in a proclamation, that 'it watched the regraters,'—and I added, that if the riot had among its causes some disaffection to the Government, it was not by foreign intervention

that this disaffection was to be subdued.
* * * They are coming round after their ill-humour: but I am getting ill-humoured in my turn; and, were it not for the interests of the Penal Code, I should have sent in my resignation, and renounced this oppressing (hargneuse) aristocracy. I have ceased to interest myself in political struggles. I must have repose, and kindness. I shall find them in England—and the prospect of my journey thither is the balm I apply to all my wounds."

In 1818, Burdett applied to Bentham, with a very urgent request that he would draw up a bill for Parliamentary Reform. To that request Bentham wrote this answer:—

BENTHAM TO SIR FRANCIS BURDETT.

"*Queen's Square Place, Westminster,
February, 1818.*

"DEAR SIR,—Just opened your packet; and dismissed your messenger. He called for an answer. I begged a little breathing time. Yes. I am quite terrified at the thoughts of the task your partiality is seeking to impose upon me; nor less astounded by that tone of self-abasement and flattery, for which, were it not for the so explicitly declared object, and eventual engagement, I should be unable to find any other account to place it to, than that of pleasantry. Patience, dear Sir! patience! The zeal of friends on both sides has given rather too great quickness to their pace; dispositions have been taken for engagements. As to disposition, nothing on my part was ever more sincere: but, before I convert it, if ever I should convert it, into an engagement, I must look round me—I must, in some sort, take measure of the field. In regard to any subject to which I have supposed myself competent, diffidence of my own strength never has been reported, nor really is, I must confess, in the number of my weaknesses. But in the present instance, I assure you, with the utmost sincerity, *that* sensation in me is extreme. For entering into the details requisite in a bill, never have I regarded myself as sufficiently prepared; nor can I find any present assurance of

being able to render myself so. To this subject, in relation to which I feel nothing but incompetence—to this subject I could not apply myself without tearing myself away from others of no mean importance—subjects, in relation to which I feel no such diffidence, and which, if not by me, will not, as far as I can see, be so much as taken in hand by any one.

“At present, considering the labours which I have upon my hands, and of which the fruit will, I hope, be public in less than a fortnight, I cannot, for some days, allow myself so much as a thought upon the subject. Supposing the thing got up in the course of a month or two, before that time Parliament may have been dissolved. I see not at present—perhaps that is not the case with you—what considerable inconvenience could result from the deferring it till after the next Parliament has met. In the course of that time—indeed considerably before that time—I should have had it in my power to take the survey in question, and to say whether I felt the task within my grasp.

“What you see above is written on the sight of a few lines only of each of the interesting papers by which I find myself so highly honoured. Before I conclude the reading of them, one thing occurs to me as necessary to be said at any rate.

“This is—that I never can bring myself to put my name to any plan of Parliamentary Reform, under which suffrages would not be free; nor do I see it possible how they ever can be free, otherwise than by being placed under the safeguard of secrecy. My reasons, which agree entirely with those which had already been so ably stated by the venerable father of reform, are upon record: and I have never been able to discern anything in the shape of a reason on the other side.

“Deeply impressed with the sense of the honour done me by this application of yours, and of the partial kindness with which it is expressed, I remain, dear Sir, yours,” &c.

This proposed union of Bentham and Burdett, was the result of the following document, written by a distinguished

friend of both—Henry Bickersteth, now Lord Langdale:—

“February 25, 1818.

“In the contemplation of any improvement in politics or legislation, it is obvious that the possession of an instrument of amelioration, sufficiently powerful and enlightened, is a condition without which no hope of success can be entertained; and, in the present circumstances of England, it is equally clear, that sufficient power, united with sufficient knowledge and rectitude of intention, can only be found in a radically reformed Parliament, after some further time has been allowed for public instruction. If Parliament were reformed to-day, we should have power and upright intention; but unless we had also a more general and familiar knowledge of the principles of legislation than now exists, it might justly be apprehended that, in many cases, mere ignorance of what was right to be done, would produce the same effects which we now suffer under the influence of vice. It appears, therefore, that two things are to be considered—Parliamentary Reform, without which no general good can be done; and Public Instruction, which is necessary, first, as a means of obtaining reform, and, secondly, as a means of reaping the greatest possible benefit from reform when obtained. Upon the last, it is not necessary to say more on the present occasion.

“Reform can be peaceably obtained only by the pressure of public opinion, acting with continually increasing uniformity and weight in favour of the cause. But on such subjects as this, public opinion is no more than the opinion of an individual, advantageously promulgated and well sustained, and therefore adopted by multitudes. *Advantageously promulgated*—that is, in such manner as will secure universal notoriety, with general attention and respect: *well sustained*—that is, by the first statement and continued repetition of reasons, which are in themselves incontrovertible because founded on the common interest; and which are laid down so plainly and distinctly, that the

least competent of those who have any perceptible influence over others may easily understand and remember them. If attention be kept alive, and continually supplied with reasons capable only of being strengthened by reiterated discussion, a sufficient uniformity of public opinion may reasonably be expected.

“Now England possesses two distinguished friends of reform, who, by their joint labours, are able to give the most advantageous promulgation to the best possible plan. The characters of Mr Bentham and Sir Francis Burdett are too well known to each other to make it necessary or proper to say anything on that subject. Of the great work to be done, the one is, more than any other person, capable of performing that part which is least congenial to the habits of the other; and their united exertions could not fail to be eminently beneficial. Conceive a plan of reform drawn up by Mr Bentham—the best possible, because framed by the person best qualified; and promulgated and supported by Sir Francis Burdett—the most advantageously, because by the person whose every word becomes universally notorious, and excites universal interest and attention; and the following are among the advantages to be derived from it:—1. A light held up for the guidance of all friends of reform. 2. An effectual moral shield against all enemies. 3. General confidence that the plan was the best that circumstances would permit. 4. A suppression of minor differences of opinion, in favour of a plan so sanctioned, and consequent approaches to uniformity. 5. Petitions for the adoption of a particular plan, which could not be reasonably controverted.

“Whatever may be proposed, the parliamentary debates afford the most extensive means of publication; and it seems probable that the best mode of stating a plan of reform would be,—to propose a few short and simple resolutions, asserting the principal abuses complained of, and setting forth the more general regulations, constituting the intended remedy,—with an indica-

tion that a bill, or a complete system of resolutions or propositions, preliminary to the enactment of a law for the establishment of the entire remedy, was prepared and ready to be proposed on the adoption of the first resolutions. From the proposal, follows a debate, every word of which might be recorded and published, with critical and explanatory notes, and an appendix, containing the bill, or system of propositions, comprehending the details of the plan. If the names of Bentham and Burdett went together in this proceeding, we should not only have universal notoriety, but all the reflection and sagacity, as well as all the active zeal in the kingdom, would be called into immediate action on this subject; and it would be surprising indeed, if every succeeding year did not produce an increasing weight of petitions. The most profound philosophy cannot unite in vain with the greatest popularity of the time.

“It is not anticipated that any serious difficulty will arise from the different plans which have been already proposed. Both Sir Francis Burdett and Mr Bentham have expressed themselves to be willing to support any plan which fairly tends to promote the object they have in view, and each of them has bestowed approbation on the labours of the other. The differences of opinion, if any, are probably on points of inferior importance, and the means of conciliation are open.

“But Mr Bentham, whose time is invaluable, is unwilling to divert his attention from other objects, and engage in the work, unless he has some positive assurance that the labour he may devote to it will not be thrown away; and this assurance can only be given by Sir Francis Burdett.”

Burdett's answer was immediate:—

SIR FRANCIS BURDETT TO BENTHAM.

“St James's Place, Feb. 25, 1818.

“MY DEAR SIR,—I am rejoiced to hear of your return to London, in health and spirits, I trust, to forward the great object of your invaluable life—the happiness of mankind. My friend —

informs me, you are willing to undertake to draw up resolutions, upon which a bill is to be founded, and afterwards the bill itself, for a reform of Parliament, and that you only want an assurance from me that I shall not be wanting in my exertions, in the House, to set it forth to the public, so that it may not be labour in vain which you undertake. I cannot express, my dear Sir, the pleasure these glad tidings afford me. I shall not only be happy, but proud to use every exertion in my power, to tax all my faculties to the utmost, in order to carry into effect your wishes upon this great and important, and indeed only important, subject. My tongue shall speak as you do prompt mine ear; and I will venture to promise, knowing so well whom I promise, that I will refuse attempting no one thing that you shall say ought to be done. My first reward will be the hope of doing everlasting good to my country: my next, and only inferior to it, that of having my name linked in immortality with that of Jeremy Bentham; and though, to be sure, it is but as a tomtit mounted on an eagle's wing, the thought delights me. Bentham and Burdett!—the alliteration charms my ear. But I will conclude, for fear your modesty should make you think me a flatterer, though God knows I am none, nor would speak this without thinking it, 'if heaven would make me such another world, of one entire and perfect chrysolite.' But, to trespass no longer on your patience, I will conclude, with begging your acceptance of such poor services as I am capable of rendering you, in aiding any of your great projects of general utility; and, if anything so unimportant can merit it, of my sincere esteem, love, and veneration.—I am," &c.

There is a note of Bentham's attached to Sir F. Burdett's letter, to the effect that, as these documents were communicated to public meetings, by Major Cartwright, no apology is necessary for their further circulation.

Bentham consulted a common friend as to this alliance with Burdett, who answered—"You may certainly rely on

Burdett, as far as Burdett can rely upon himself—which I hope and believe will, in this case, be more than usual."

BENTHAM TO SIR FRANCIS BURDETT.

"Q. S. P., 10th March, 1818.

"DEAR SIR,—Follows a supplement to my answer to yours of this day's date. Your messenger was then waiting, and my tea and muffin cooling.

"As to Ballot, you yourself (you say, and to my great joy) have no objection to it. Having then your concurrence, I care not for anybody else. But this being the case, where can be the unadvisableness you speak of? In the House itself, is it in the nature of the case that this or anything else can make the smallest difference? Surely by the people, and those alone, can there be any, the faintest hope, of making, in the first instance, any sensible impression: only for the purpose of dissemination, which, however, is a most substantial purpose, can there be any use in saying anything in or to the House. But the people: can you deliberately suppose that, of those who wish for the right of suffrage, there can be any, unless with the view, and for the purpose, of selling it, would wish that it should not be free?—and this to such a degree as to be averse to any plan of reform of which such freedom would form a part?—and that in their breasts this wish is so firmly rooted as that it would be in vain to try, by argument, to remove it? Now, even supposing, for supposition's sake, that this was really the case, I cannot conceive how it should be within our knowledge: and I am sure, if this were known to me, there would be an end to all wish, and therefore to all endeavour, for anything that is called Reform.

"With the Ballot as a fundamental, *this* I have the satisfaction of knowing, that the plan in question has made converts of some highly distinguished characters in the country, not only for talents but rank and opulence—some of them in Parliament, others about to be so.

"In relation to this, as well as on the other points, my plan, with the reasons on which it is grounded, lies before you:

The reasons may be seen in Introduction, pp. clxxi to clxxxii (not to mention preceding pages, for example, p. cli) and Plan or Catechism, pp. 35 to 38.* If in any of them I have fallen into any material error, especially if it is of such sort as to prescribe a variation in the result—or if I have overlooked any conclusive argument, or set of arguments on the other side, I will most gratefully receive any intimation of it: in the opposite case, my opinion, and consequent determination, is already declared.”

Sir Francis answers:—

“*St James's Place,*
“*March 10, 1818.*”

“DEAR SIR,—I will endeavour to put upon paper, as speedily as I can, the objections to Ballot: for myself I have none. I will give reasons, however, why I think it useless, and if not necessary even mischievous, because of prejudice to be surmounted.

“Please to transmit the resolutions to me.—Yours most sincerely.”

The Resolutions on Parliamentary Reform were moved by Sir Francis Burdett, in the House of Commons, on Tuesday, the 2d of June, 1818, as follows:—

1. That no adequate security for good government can have place, but by means of, and in proportion to, a community of interest between governors and governed; and that the truth of this principle has been unequivocally recognised in speeches delivered from the throne by all the kings of this realm, (except only King Charles the First, and King James the Second,) from the accession of King James the First, down to the present reign, both inclusive.

2. That on any occasion upon which this community of interest fails to be entire, the interest of the few, or of the one, ought to give way to the interest of the many; and that the truth of this principle has been recognised in speeches delivered from the throne by the kings of this realm, of every family, from the accession of King James the First, down to the present reign, both inclusive.

3. That under the government of this country, no such community of interest can have place, but in so far as the persons in whose hands the administration of public affairs is vested, are subject to the superintendence

and control, or check, of the representatives of the people; such representatives speaking and acting in conformity to the sense of the people.

4. That, according to established usage, as evidenced by speeches from the throne, and other public acts, the members of this House being in their collective capacity styled representatives of the people, and the powers exercised by them, being on no other ground recognised as constitutional; it is only in so far as they are really and substantially representatives of the people, that the powers so exercised by them are constitutionally exercised.

5. That it is only in so far as the members of this House are in fact *chosen*, and from time to time *removable* by the free suffrages of the great body of the people, that there can be any adequate assurance, that the acts done by them, are in conformity to the sense and wishes of the people; and, therefore, that they can in truth, and without abuse of words, be styled, or declared to be, representatives of the people.

6. That no member of this House can, otherwise than by a notorious fiction, be styled a representative of any part of the people, other than of the part composed of such individuals, as have, or might have, voted on his election. And that, by the general appellation of representatives of the people, is, and ought to be understood, representatives of the whole body of the people.

7. That the sense of the whole body of the people cannot be adequately conformed to, by their representatives, except in so far as the suffrage of each person in the choice of his representative has a force and effect, as equal as may be, to that of the suffrage of every other person. And that such equality of force and effect cannot have place, except in so far as in the case of each representative, the number of persons possessing the right of voting on his election, is (as far as local circumstances will permit) the same as in the case of every other.

8. That on the occasion of electing a representative of the people, no man's suffrage can with truth be said to be free, except in so far as in the delivery of it, he stands unexposed to the hope of eventual good, or the fear of eventual evil, to himself and his connexions, from the power or influence of every other individual, on account of his suffrage.

9. That the advantage and necessity of comprehensive, equal, and free suffrages, has been recognised in divers speeches from the throne.

10. That the sense of the people can never be truly represented and conformed to by the representatives, otherwise than in so far as those representatives are dependent upon the wishes of their constituents for their continuance in their situation as representatives; such wishes of the constituents being expressed by their suffrages, freely delivered as above.

11. That though to give this dependence the greatest perfection of which, without regard to other objects, it might be susceptible, would require that at all times it should be in the

* See Works, vol. iii. p. 487-490, and p. 547-8.

power of every Electoral body to remove its representative, in the same manner that it is in the power of every individual, who has granted to another a power of attorney, to revoke the same; yet forasmuch as in such a state of things, the people, instead of deputing representatives to manage their public concerns, would be in their own persons engaged in the superintendence or management thereof, to the prejudice of the business of private life; hence it becomes necessary that this same power of removal should not have place otherwise than at certain stated, and more or less distant periods.

12. That forasmuch as the dependence of the representatives upon their constituents will be the greater, the shorter the term is, during which they are exempt from removal; and as no inconvenience can be apprehended from one election, at the least, taking place in every year; and, as it appears by divers statutes, and long-continued practice in obedience thereto, that the principle, at least, of annual elections is conformable to the ancient laws and practice of this realm; it is, therefore, expedient that the people should be enabled to remove their representatives, and, if necessary, repair the misfortune of having made an improper choice, at least once in every year.

13. That the sense of the people, considered as the standard to which the sense of their rulers ought to conform, is not the sense entertained by the people in any past period of time, and which may have undergone subsequent change, but, on the contrary, is the sense of the people taken in its freshest state; and that this truth has been repeatedly recognised in speeches delivered from the throne, by his late majesty, King George the Second, and by his present majesty. [This resolution contained several extracts from speeches, in which their late and present majesties expressed their satisfaction on seeing the most certain information of the sense, disposition, and wishes of the people, by a new choice of their representatives.]

14. That by the words SENSE, DISPOSITION, and WISHES of the people, employed in the said speeches, nothing less than the SENSE, DISPOSITION, and WISHES of the whole body of the people can with propriety be understood; forasmuch as if it be the interest and duty of his majesty, to collect and attend to the SENSE, DISPOSITION, and WISHES of any one part of his people, it cannot be so in any less degree in regard to any other part.

15. That, except by petitions, and even by those means no otherwise than occasionally and partially, and, therefore, inadequately, the SENSE, DISPOSITION, and WISHES of the people can be conveyed to his majesty, in no other manner than by the choice made by them of persons to sit and serve in this House in the character of representatives; and that, except in the said inadequate manner by petitions, those who have no part in the choice of repre-

sentatives, cannot at any time make known to his majesty, the part which their sense, disposition, and wishes, has in the sense, disposition, and wishes of the whole body of the people.

16. That forasmuch as no power lodged in the hands of constituents can create or maintain the due dependence of their representatives, unless the good or evil which may be produced by the exercise of such power be at all times, in the expectation of the representatives, greater than any that can be made to accrue to them by any other person or persons whose interest, or supposed interest, it may be to engage them in a violation of their trust; it is therefore necessary, that, by all practicable means, every representative of the people be rendered as completely exempt as possible from every such external influence.

17. That the offices, commissions, and emoluments, the power, rank, dignities, and other advantages, which are at the disposal of the Crown, constitute so many instruments of temptation, by which the members of this House are exposed to be seduced from their duty, and induced to sacrifice the general interest of the people, to the particular interest, or supposed interest, of the Crown, its servants, and their adherents.

18. That as this House is now constituted, a large proportion of the members thereof obtain their seats by the appointment or favour of particular individuals, without being elected, or at least without being freely elected, by any part of the people; and that such members are continually exposed to be seduced from their duty, and induced to sacrifice the general interest of the people, to the particular interests of their respective patrons.

19. That forasmuch as the influence of the Crown cannot be exercised and made productive of its natural effect, without counteracting and overpowering the influence of the people in the breasts of the members of this House, so as to engage them to make continual sacrifice of the interest of the people, to the separate interests of the servants of the Crown and their adherents; such influence may with truth and propriety be termed a sinister influence.

20. That parliamentary patronage not only prevents or interrupts comprehensive, free, and equal suffrage, whereby alone the sense of the people can be made known, but operates, on the one hand, as a perpetual inducement to the servants of the Crown to favour the individuals who are possessed thereof, at the expense and to the prejudice of the people; and, on the other hand, as a perpetual temptation to those individuals to maintain and increase the influence of the Crown, from which they may expect to derive benefit for themselves and their connexions.

21. That by a resolution passed on the 6th of April, 1780, it was declared by this House, that the influence of the Crown had increased, was increasing, and ought to be diminished.

22. That since that time the influence of the Crown has been greatly increased: on the one hand by the increase of the public debt, in respect of the taxes raised for paying the interest thereof, and the profitable patronage and power exercised in relation to the several offices and commissions necessary for the collection of those taxes; and, on the other hand, by the increase of the standing army, in respect of the patronage and power exercised in relation to the offices and commissions thereunto belonging, and the means of employing the same power to stifle the voice and destroy the liberties of the people.

23. That forasmuch as no adequate diminution of the influence of the Crown can now be effected, the only resource which remains, is to correct this influence by a counterforce, consisting of the influence of the people.

24. That this House, taking into consideration the gracious intentions so often expressed by his Majesty, particularly calls to mind the speech delivered on the 5th of December, 1782, in which his Majesty, speaking to both Houses of Parliament, and after declaring it to be the fixed object of his heart to make the general good, and true spirit of the constitution, the invariable rule of his conduct, was pleased to say:—"To insure the full advantage of a Government conducted on such principles, depends on your temper, your wisdom, your disinterestedness, collectively and individually: my people expect those qualifications of you, and I call for them." And, again, the speech delivered on the 19th May, 1784, in which his Majesty was pleased to say, "You will find me always desirous to concur with you in such measures as may be of lasting benefit to my people: I have no wish but to consult their prosperity." And, again, the speech delivered on the 25th of January, 1785, in which his Majesty was pleased to say, "You may at all times depend on my hearty concurrence in every measure which can tend to alleviate our national burthens, to secure the true principles of the constitution, and to promote the general welfare of my people."

25. That this House, taking into consideration the gracious disposition of His Royal Highness the Prince Regent, assures itself, with the fullest confidence, that his Royal Highness, acting in the name and on the behalf of his Majesty, will be pleased to vouchsafe his sanction to all such measures as may be necessary for placing the influence of his Majesty's people in this House on a firm and unalterable footing.

26. That therefore this House, proceeding on the principles above declared, is resolved to make one great sacrifice of all separate and particular interests, and to proceed to establish a comprehensive and consistent plan of reform; in virtue whereof, the whole people of the United Kingdom may be fairly and truly represented in this House; and, in order

to that end, this House does hereby declare:—

I. That it is expedient and necessary to admit to a participation in the election suffrage, all such persons as, being of the male sex, of mature age, and of sound mind, shall, during a determinate time antecedent to the day of election, have been resident either as householders or inmates, within the district or place in which they are called upon to vote.

II. That for securing the freedom of election, the mode of voting ought to be by ballot.

III. That for more effectually securing the unity of will and opinion, as between the people and their representatives, a fresh election of the members of this House ought to take place, once in every year at the least; saving to the Crown its prerogative of dissolving Parliaments at any time, and thereupon, after the necessary interval, summoning a fresh Parliament.

IV. That the territory of Great Britain and Ireland taken together, ought to be divided into 658 election districts, as nearly equal to each other in population as consistently with local convenience they may be; and that each such election district ought to return one representative, and no more.

V. That for the prevention of unnecessary delay, vexation, and expense, as well as of fraud, violence, disorder, and void elections, the election in each district ought to be begun and ended on the same day; and that for this purpose, not only the proof of title, but also every operation requiring more time than is necessary for the delivery of the vote, ought to be accomplished on some day, or days, antecedent to the day of election, and that the title to a vote should be the same for every elector, and so simple as not to be subject to dispute.

VI. That for the more effectually securing the attainment of the above objects, the election districts ought to be subdivided into sub-districts, for the reception of votes, in such number and situations as local convenience may require.

The "*Sophismes Politiques*" were translated from the French by a zealous, and then unknown disciple. The MS. was sent to Bentham, being the work, says the writer, of hours stolen from rest. But he expressed much anxiety that his name should never be known as connected with this "*labour of love*,"—emanating from no vanity,—no desire of distinction, but from a wish of doing some good in his generation. The French translator had considerably modified the original, and moulded it to the state of continental society. The re-translation restored much of the peculiar phraseology of the original, and brought it

back, in many respects, though not in all, to the primary intentions of the author. In the present edition of the Works,* it has been edited from the original MSS. of the author; and in this form it may justly be said to vindicate the reputation of his logical powers from the aspect they assume in the feeble version of Dumont. To one who, ignorant of the force of Bentham's reasoning, and of the clearness and accuracy of the language in which it is presented, should wish to see these qualifications briefly embodied, the "Anarchical Fallacies" may be recommended as an admirable illustration.

Of Ricardo, Bentham used to say: "I was the spiritual father of Mill, and Mill was the spiritual father of Ricardo: so that Ricardo was my spiritual grandson.

"I was often *tête-à-tête* with Ricardo. He would borrow a sixpenny book instead of buying it. There was an *épanchement* between us. We used to walk together in Hyde Park, and he reported to me what passed in the House of Commons. He had several times intended to quote the 'Fragment;' but his courage failed him, as he told me.

"In Ricardo's book on Rent, there is a want of logic. I wanted him to correct it in these particulars; but he was not conscious of it, and Mill was not desirous. He confounded *cost* with *value*. Considering our intercourse, it was natural he should give me a copy of his book—the devil a bit!"

BENTHAM TO RICARDO.

"14th March, 1818.

"I told Burdett you had got down to *trienniality*, and were wavering between that and *annuality*, where I could not help flattering myself you would fix; also, in respect of extent, down to *householders*, for which, though I should prefer universality on account of its simplicity and unexclusiveness, I myself should be glad to compound."

Many were the applications which Bentham received from the United States of America, requesting he would *codify* for that country, and expressing annoyance at the somewhat evasive way

in which his offer to President Madison was rejected. A letter from Mr F. W. Gilmer, of Richmond, (Virginia,) March 22, 1818, says:—

FRANCIS W. GILMER TO BENTHAM.

"Richmond, (Virginia,)

"March 22d, 1818.

"MR BENTHAM,—Let me entreat you not to abandon your design, nor to render useless the labour of so many years. The people of America read, with respectful attention, everything curious or original from England: a taste for the antiquities of your literature is every day growing. Even the Scotch metaphysicians are not without their admirers and disciples. The work which you propose, could not fail to have a sure, but, perhaps, slow effect on the ever increasing and expanding intellect of our country. Would it not be a more glorious distinction for a philosopher, from his closet in London, to control the principles of legislation and jurisprudence on the banks of the Missouri, or the shores of the Chesapeake, than to leave his researches to the casual, capricious, and ineffectual patronage of an executive officer? New territories and states are every year forming in America. They imbibe, in their origin, the principles most approved at the crisis of the formation. You have already converted some of them from their heresies in money-lending—why not in other departments of legislation? It is known to you, that in the United States, not the theoretic and political sovereignty only, but the active and virtual sovereignty is in the people. Reform, then, must begin in turning the stream of popular opinion, as in Russia it must commence with the emperor, and in England with the Parliament.

"Suffer, then, a young man, a lawyer, but still the disciple, as he is the countryman of Washington, of Franklin, and of Jefferson, to entreat you to persevere. For any books or details relative to our institutions, command my services. I will join the banner you have raised, not with the timidity of one afraid of losing an ill-gained popularity, —not as one who looks upon office or

* Vol. ii. p. 491.

power, even in this country, as conferring the most splendid distinctions, but as one who knows that no glory is durable which is not laid on deeper foundations than the frivolous,—the fluctuating,—the transient opinions of mankind. At the same time, prudence requires that we should not rashly defy long-established prejudices. Let us not be ostentations of our spirit of innovation: rather let your genius and philosophy sink in England, that they may emerge like the Alpheus in a clear and tranquil Arethusa in America,—not the roar of the torrent, but the laurels which crown its banks will be your reward.”

A resolution was passed on the 23d March, 1818, by a public meeting of Westminster householders, in these words:—

“Resolved—That the thanks of this meeting are given to that profound reasoner, and preëminent writer on Legislation, *Jeremy Bentham*, Esq., for the philosophical and unanswerable vindication in his *Catechism on Parliamentary Reform*, of the right of ALL the commons of this realm, equally to share, and annually to exercise, the franchise of choosing members to serve in Parliament; as well as their farther right to a sure protection, by the application of the ballot, against injury or oppression, for having freely exercised that sacred franchise.”

“*St James's Street.*

“DEAR SIR,—We, the undersigned, having been desired to communicate to you the vote of thanks of your fellow-citizens, in general meeting legally assembled, of which the foregoing is a copy, have done ourselves the honour to wait on you with the same; and sincerely wishing you a continuance of life, with health to prosecute your invaluable labours for the benefit of our country and mankind, by inculcating true principles of free government, legislation, and jurisprudence; we subscribe ourselves, dear Sir, your friends and brethren, in the love of truth, freedom, and justice,

“JOHN CARTWRIGHT.

“PETER WALKER.”

The communication was thus answered by Bentham:—

“Q. S. P., 25th March, 1818.

“GENTLEMEN,—Allow me thus to repair my misfortune in not being at home, when you favoured me with your call.

“When penning the little work in question, little did I expect to receive any such reward, as that which has been thus communicated to me, and which has been so highly enhanced by the venerable character of the hands through which it has been transmitted.

“The honour thus conferred on me, is of that sort—the value of which will be still increasing, when those which are conferred by a single hand, for obsequiousness to a single will, will be as the glory of King Solomon in a puppet-show.

“Believe me to be, with all respect and gratitude, Gentlemen, your sincere friend and servant.

“*To John Cartwright, Esq.,
and Peter Walker, Esq.*”

Dumont writes to Bentham, 13th April 1818:—

(Translation.)

“I have been reading the *gentillesses* of the *Quarterly*: but I hope you do not read such *sottisses*, worthy of Père Duchêne. The author has not even the wit to be mischievous, which is easy enough.”

J. B. SAY TO BENTHAM.

(Translation.)

“3d May, 1818.

“I see with much grief, that the Panopticon constructed at Petersburg, has been the prey of the flames. When you are no more, Panopticons will be built by hundreds. Your bust will be in each; but, in the meantime, the original will be persecuted. This is the order of things; and Chamfort was right in saying, that ‘our moral world is the result of the caprices of a devil run mad.’ But for a few men like you, there would be nothing for it but drowning.”

Of the rule of the elder Bourbons, Say gives a striking picture:—

“The abettors of abuse are alone privileged to speak—to dispose of power and of money. We call them the *belly of the nation*. Our Civil List, which is called

'the allowance to the Princes,' represents only a small portion of the sacrifices which the people make to royalty. There are *appanages*, (revenues of national lands given to the Princes;) there are salaries for useless places and offices which they possess: the Count d'Artois, is the Colonel-general of the Swiss troops in the French service: the Duke de Berry, Colonel-general of the light troops: the Duke d'Angoulême, Grand Admiral; and large emoluments are attached to these and other titles. One portion of the royal guard is paid not by the Civil List, but by the Treasury. The revenues derived from gaming-houses do not appear in the Budget, but are paid to the Duchess d'Angoulême, on the pretence of serving her for alms-giving. A portion of the Pension List, goes to bribe the creatures of these people. The public authorities, having no real control from the self-called representatives of the nation, pays out of the public purse a host of vampires, who, far from rendering services to the State, are, for the most part, horribly pernicious to it.

"Garnier, made a Count by Buonaparte, has been made a Marquis by the Bourbons. So has Laplace — so has Fontanes; and they have deserved them, for they are obtained by baseness. The public interests have no bitterer enemies, than such corrupted and corrupting men. In fourteen years, Buonaparte managed to set aside all that was pure and honourable; and when the Allies came, there was not a public man to plead for the public. The Bourbons had the matter of corruption ripe and ready at their hands. Beware of French *reputations*. You would be astonished at the stuff out of which they are made.

"Persecutions are raging against the press. Our judges would decree that the sun rises at noon, if the court wished them to do so. Dunoyer is put into prison at La Force, to be transferred to the Chouans at Rennes, for his 'libel.' The said Chouans being judges and parties. Comte* has concealed himself—

* Charles Comte, who married Say's daughter. A well-known political writer. He and Dunoyer were prosecuted in the same indictment for seditious writings.

a dozen of the first houses of Paris offered him an asylum. It was, who should have him."

Among the exiles of the Spanish Revolution, and one of the most distinguished of the supporters of Joseph, was Cambronero. He was brought to the notice of Bentham by Lady Bentham, in a very interesting account of their acquaintance at Toulouse, where Sir Samuel was then staying, on which Bentham immediately wrote to M. Rivadavia, the Minister and former President of Buenos Ayres, entreating him to engage Cambronero in the service of that Republic. Rivadavia promised to do everything that depended on him. Of the representatives of South America in this country, Rivadavia was the man of whom Bentham thought the most highly. He professed Utilitarian principles, and was occupied for some time in translating the works of Bentham into Spanish, but the translation has never seen the light. Cambronero rejected the proposals made to him. He thought there would be no forgiveness for a Spaniard who should attach himself to the American Independents.

In that active spirit of benevolence which distinguished Bentham—which was limited to no locality, nor to any particular class of men, but which rather embraced all countries, and all mankind, he addressed the following Proposal to De Witt Clinton, dated 29th September, 1818:—

"PROPOSAL

"For the Instruction and Improvement of the Moral Character of the Irish Labourers in New York.

"SIR,—The testimony borne by common fame to the spirit of your administration, has afforded me the requisite assurance of the attention which may be expected at your hands, for a proposal, the object of which stands above designated.

"It was but the other day that, in a conversation with Mr Henry Melchior Francis, citizen of your State, it happened to me to hear from him, that the number

of persons, natives of Ireland, who, having emigrated to your capital, are deriving their subsistence from the wages of their daily labour, is supposed to be not less than 10,000, out of a total number of 100,000: that, in a proportion much to be regretted, their conduct is disorderly; that drunkenness, with its attendant quarrelsomeness, are prevalent among them, and that in such sort as to afford no inconsiderable degree of annoyance to the rest of the community; and that, in addition to the vacancy of mind and consequent restlessness produced by ignorance, the cheapness of the instrument of intoxication in the place of their abode is the cause to which the evil is generally ascribed. To this political disorder a happy concurrence of circumstances presents a remedy, such as, if I do not overflatter myself, affords a promise of being more or less effective. The healing hand which I have in view is that of Mr Thaddeus Connellan.

"As his name would lead you to conjecture, he is a native of Ireland. The fame of his beneficence, and of the judgment, as well as active talent, by which his exertions had been marked, together with the magnitude of the scale in which they had operated with success, led me, not long ago, to an acquaintance with him.

"The number and respectability of the persons who, I am well informed, have, in various parts of Great Britain and Ireland, been witnesses to his conduct during these operations, is such, as, coupled with the promptitude, frankness, and consistency displayed in the course of his answers to the questions which, at different times, I have put to him, have sufficiently cleared my mind of those suspicions which the extraordinariness of the facts could not but have excited to the prejudice of the sincerity or the correctness of his statements.

"Time will not admit of any such enterprise on my part, as that of giving, in detail, the particulars which, at different times, I collected from his mouth, and which are, in part, in black and white.

"The nature of the proposal considered, together with the extreme smallness of

the sum requisite to be hazarded, compared with the good in prospect, the following particulars will, I am inclined to think, be found sufficient:—

I. Results.

"Taught by him and his disciples, in Great Britain and Ireland, in 3 years ending at Christmas 1816—ADULTS about 40 000
of whom all but about 100 males: females, could he have obtained them, he would have taught by preference, on account of the use to which their labour might have been applied in the teaching of children.

"Taught by him and his disciples, before that time, in Ireland,—NON-ADULTS 20,000

"Since then, by others not in connexion—NON-ADULTS 40,000

"The account thus given of those results will present to view several gaps which his absence prevents my being able to fill in.

"From large bundles of letters which he carries about with him, and all of which I might have seen, I have seen as well as heard (the weakness of my eyes referring me mostly to my ears) several; and in all that I have seen, not only was the handwriting good, but the language unexceptionably proper and correct, and the state of mind evidenced by it highly meritorious.

II. Course and Plan of Instruction, in the cases of Adults.

"His course is, in the first instance, to teach them to read in Irish; for which purpose he has caused to be printed Lesson Books.

"Those who are taught thus to read, are many, if not most of them, taught to write. A higher stage of instruction, to which not so large a number have been admitted, is that by which they learn to read and write English.

"The plan by which so prodigious a spread has been given to the quantity of instruction, all of it having for its original source the labour of one man, has been

thus :—He began with teaching at one and the same time, a set as numerous as he could collect at one and the same place ; but to this course none were admitted as *disciples*, but upon condition of their serving, each of them, if required, in the capacity of a *teacher*, to another such set, administering, in the same mode, the instruction he had received.

“By himself the instruction administered has always been perfectly gratuitous: and by every *disciple* and *disciple's disciple*, and so on for ever, it has been administered on the same generous terms.

“In England, his pupils and disciples being day-labourers, and, as such, not having command of their own time, the hours for receiving the instruction on the one part, and for administering it on the other, could only be for the few hours which, in that condition in life, can be stolen from hard labour and repose—viz. from two to three hours in a working-day. In this state of things he has seldom been able to render the number in any set greater than 24; but in Ireland, where to so great an extent the tillers of the ground work each of them on his own account, this number is commonly much greater.

“The time which, at the above rate of working, has, in the instance of each set, been sufficient for perfecting the scholars in the reading of their own language, has been from two months to three months at the outside. I am not at present able to say, whether, in the course of this time, any have made any advances in the faculty of *writing*. Of those who are become perfect in their first lesson, some, while learning a second lesson, take a new set, and teach them the first lesson ; and so on.

“When the inhabitants of one village have thus been taught by him, his way has been—to stretch at once to some other village, about twenty miles distant from the first ; leaving the villages in the interval to be taught by his disciples.

“I have not learnt as yet from whence he has drawn his small resources. His own mode of living is frugal in the extreme. To the extent of my own observation he has refused all pecuniary assistance.

“I had begun concerting with him a plan for the increase of the number of the books which he distributes among his scholars : but, without my having received notice, I know not how it happened, he went off about two months ago for Ireland.

“He gave me the history of his parentage, of his education, and of the incidents by which he was led into this track of beneficence. Interesting as they are, time will not admit of my committing to paper any such details.

“The lessons he employs for instruction are taken out of the Bible ; but he avoids all topics characteristic of different sects. For this cause, his life and those of his disciples have been repeatedly put in danger, by persons set on by Catholic priests.

“Amongst his disciples, one particularly remarkable is a man of the name of Ford. Some highly intelligent friends of mine have been, and could at any time be, in communication with him. This man is but a day-labourer ; and to his energetic mind, he adds no skill capable of giving an extra value to his bodily labour. At about thirty or forty miles distance from London, during the hours which he could steal from bodily labour, he has for years, under the guidance of Mr Connellan, been another and successful instructor of his countrymen, during their correspondent hours. During our late distresses, being one of the multitude who were unable to find employment, he was in danger of perishing, and his beneficial labours were necessarily suspended. Some friends of the system succeeded in procuring him admittance, always in the quality of day-labourer, into the Government dock-yard at Chatham : his school was then revived, and, by the last accounts I have heard, continues.

“During one of these intervals of distress, his patron, Mr Connellan, on departing for Ireland, left him an order upon somebody for a twopenny loaf, to be delivered to him every day, on being called for. To the patron, on his return, this order was returned unemployed. The disciple had, somehow or other, found means to subsist without it.

"Upon the above grounds, the plan which I take the liberty, Sir, of submitting to your consideration, is this:—

"Assured of the principle upon which this scheme of benevolence has, with so much perseverance, and to so great an extent, been already carried on, I take for granted, that, though the here proposed extension of the scene is so far distant from this country as New York, there exists in the mind of the master-workman, and some of his principal under-workmen, a spirit equal to the attempt, on the supposition that the necessary, though no more than absolutely necessary, means were put into their hands. I write without communicating even with the above-named Ford; the departure of my friend, your above-named fellow-citizen, not admitting of it.

"The terms for which I should expect to find acceptance at their hands, are as follows:—

"1. Disciples of Mr Connellan, to the number of two, three, or more, to have the expense of their freight and subsistence to New York defrayed: the money not to pass through their hands.

"2. On their arrival, labourer's pay to be insured to them, at a rate which need not exceed the lowest rate, they giving the whole of their bodily labour for it, if required; but, in this case, the hours during which they could administer instruction, could not, of course, be more than such as they could steal from labour and repose.

"3. Each man to be sent back to this country, or to Ireland, whichever country he came from, in the same manner—that is, free from expense—at any time after, and within a certain time to be named, upon his requiring it.

"With the favourers of this proposal, if it should find any, it will be for their consideration whether to add to the above manifestly indispensable assistance, anything to look to in the shape of reward, in case of success, according to such description as might be given of the different degrees of success, of which the undertaking is susceptible.

"The proofs of success might be rendered the subject of public exhibition: reading in public—writing in public.

"To the instructors, with or without the addition of a select number of the instructed pupils, could grants of land, for example, be made on terms more favourable in this or that particular, than ordinary terms? Such grants confined of course to such, if any, so circumstanced as to be found capable of occupying the lands in person to their advantage; for as to grants made with no other expectation than that of the lands being sold, half of this sort would manifestly be but so much waste.

"In the midst of their poverty, the Irish of the labouring classes, I understand from Mr Connellan, are at least pretty extensively addicted to *gaming*—to wit, in the shape of card-playing. As to his pupils, as they learnt to read, they very generally, so he informed me, left off gaming. If thus by reading, men in that condition have been weaned from vice in *that* shape, why not from vice in the shape of drunkenness?

"The small pecuniary means, which on these terms would be necessary, with what prospect of success can they be looked for? Any public fund? or beneficence purely *private* exercised in the way of subscription? On this subject, all conjecture is, of course, beyond the competence of any such stranger as myself.

"The person to receive and supply the money would, I suppose, be some citizen of New York, whose station, whether in or not in office, happens to be in this country. That for any such purpose, the person to whose lot it has fallen to be giving you this trouble, is altogether out of the question, is sufficiently evident.

"P.S.—To make provision against accidents, I propose sending a duplicate, or the equivalent, through some other channel.

"To the Honourable De Witt Clinton,
Governor of the State of New York.

"September 29, 1818."

GOVERNOR PLUMER TO BENTHAM.

"United States, New Hampshire,
"Epping, October 5, 1818.

"DEAR SIR,—Agreeably to my intimation to you in my letter of the 2d of October 1817, I communicated to the Legislature of New Hampshire, at their last Session, the papers that you had previously transmitted to me. They referred them to a committee, who reported that the farther consideration of them should be postponed to their next Session, which report the Legislature accepted. What course the Legislature will eventually adopt, in relation to the principles you so ably recommend, is not certain; but 'tis a fact that your writings, where they are read and candidly examined, produce an effect favourable to the rights and interests of the people.

"Under other envelopes, I have sent you a letter from my eldest son, who is a member of the Legislature; and also a copy of my last public message to the Legislature.—The ill state of my health, and my advanced years, have induced me to withdraw my name from the list of candidates for the gubernatorial chair for the next year. My term of office will therefore expire on the first Wednesday of June next. But whether in public or private life, permit me to assure you that I am, and ever shall remain, with much respect and esteem, &c.

"WILLIAM PLUMER."

J. B. SAY TO BENTHAM.

(Translation.)

"October 7, 1818.

"Our revolution had created a *tabula rasa*. Buonaparte covered the field with despotic institutions, and that deliberately, introducing more encumbrances than existed before. This is the evil still pressing on us. Must we again set fire to the whole edifice? It is a cruel, perhaps a dangerous, experiment.

"Our administrators of communes and of departments are but pachas, who, in doing the work of their masters, do their own,—but never the work of those who are subjected to them.

"But opinion speaks out,—and this

is something,—for our government is weak and foolish,—led under the worst auspices, and badly supported. The state of parties is curious. The ministry is Buonapartist, and persuades the legitimate family that the nation must be governed and bridled, as it was governed and bridled by Napoleon. But the ministry has few supporters, except among the salaried, or those who expect to be salaried.

"The ultra-royalists represent your Opposition. They have no other grief than that they are out of place, and want their doctrines to prevail that they may turn them to personal account. But they have for leaders the *whole* family of the Bourbons,—though the Bourbons think more of themselves than of their followers. Money, however, and favours are distributed among them,—but no power. In the nation, this faction has no support, except among a few prolétaires and fanatics; and these diminish daily.

"The Independents or Liberals constitute the great mass of the nation,—and what is strange, the march of other nations is like our own. Our people read not, heed not what yours are doing: yours seem as careless—and so it is everywhere.—A change must take place,—the difficult question is, the *when* and the *how*."

Romilly died in November, 1818. His death affected Bentham much,—for though in many points they differed, Romilly and his wife were most loveable beings, and among the few who could ever induce Bentham to quit his Hermitage and mingle with the world. They met so frequently, that though multitudes of communications passed between them, they consisted principally of short notes, making appointments at each other's houses,—or arrangements, almost always terminating in personal interviews. Romilly's attachment to Bentham was most affectionate,—his reverence for his opinions and character great,—and their mutual intercourse was to each a source of varied and virtuous enjoyment.

In answer to a request from the

Mutual Improvement Society, that Bentham would be their chairman at an anniversary dinner, he sent this reply:—

*“ Queen’s Square Place, Westminster,
“ 19th December, 1818.*

“ SIR,—I have to acknowledge the favour of your letter of the 10th inst. It is with sincere regret that I must confess my misfortune, in not being able to avail myself of an invitation, which is so honourable to me, and so kindly announced to me.

“ Not to speak of other infirmities, a weakness I have in my eyes would be sufficient to prevent my existing, in a room such as that in question, otherwise than in such a state of sufferance as, by their view of it, would suffice to cloud with sympathetic concern the festivity of the social board.

“ Even setting aside so insuperable a bar, you will be disposed (I think) to regard with indulgence, my wish to stand excused from accepting the intended honour, when you reflect upon my time of life, coupled with those parts of my character which appear to have recommended me to your notice. For these many years, so exclusively have I devoted my applicable hours to my endeavours toward the service of mankind, upon the largest scale within my power, that I have turned an inexorable ear to all dinner invitations: for, of the quantity of time which might otherwise be employed at my desk, any such visits would unavoidably consume a portion, the waste of which I could not endure the thoughts of. The last house I continued visiting at dinner-time was Romilly’s, and that not more than once in a twelvemonth.

“ You see, Sir, that I choose to call forth your smiles, not to say your laughter, by that garrulity which is apt to be the concomitant of old age, rather than my sensibility to your kindness, and the regret which I really feel at not having it in my power to take my patrons by the hand, should be exposed to doubt. I say my patrons: for mine you are more properly than I yours.

“ As it is to your opinion of my pursuits, and my perseverance in them, that

I stand indebted for all the tokens I have received of your regard, it has occurred to me to transmit to you, Sir, if the state of my eyes will allow me to get them up, a few papers, which, if the reading of any of them should be thought conducive to the entertainment of any of the company, may serve to convey some idea of the prospects, and even of some effects of a more substantial nature, of which those pursuits have been productive. I say it with perfect sincerity,—the apprehension lest a society which stands so high in my estimation should suffer in its prosperity, from having given the appellation of its patron, to a man so destitute of all those objects of admiration, the possession of which is so commonly regarded as an indispensable requisite to every man on whom any such title is bestowed,—it is by this apprehension, I say, rather than by anything else, that the idea of sending to you these same papers was suggested to me. ‘I see not,’ I said to myself, ‘in what way I can be of use to them; let me, at any rate, do whatever may be in my power, towards lessening whatever injury they may have done themselves by the sort of notice they have taken of me.’ ‘Theoretical, visionary, Utopian, Jacobinical, impracticable:’ in terms of reproach such as these, is constituted the sort of return, which from the first I was prepared to receive, in large proportion, for all my labours, and which I have accordingly been in the habit of receiving in the expected abundance. What, however, the papers in question may help to show, is, that from foreign countries, at any rate, this is not the only sort of return that I have received; and if in any degree they should be found to relieve my own name from any of these reproaches, the contents of the same papers may, I hope, in a correspondent degree help to save from the like imputations the views and occupations of my worthy friends, whose endeavours and affections are so congenial to my own.*

“ Though it has been necessary for

* The papers sent were probably the Codification Proposal, with its Appendix of Testimonials from foreign countries. See works, vol. iv. p. 537.

me to make allusion to my *infirmities*, let not the general hilarity be damped by any such feelings of sympathy as, if unexplained, a word like this might be apt to excite. That these infirmities, too unquestionable as they are, are by no means incompatible with cheerfulness, nor even with gaiety, some individuals of your number may, perhaps, have had occasion to observe; that though I go nowhere except on a walk for fresh air, as a substitute for physic, I have the good fortune of not being altogether destitute of friends, by whose favour I can hold occasional communication, at my humble distance, with the world at large.

"Without you troubling yourself, Sir, to inform me, I shall have no difficulty in hearing the exact day of your festive meeting; and while, in full assembly, you are giving expression to your kind wishes for my health over some more luxurious liquor, I shall be doing the like, on my part, for the prosperity of your society, in company with one or two friends, over my small-beer, which, with that fountain of faculties, tea, has for many years composed my only beverage.—Believe me now as ever, Sir, yours and the Society's faithful friend and servant,

"JEREMY BENTHAM.

"To Mr Thomas Tucker,
Secretary for the Society
for Mutual Improvement."

In a letter to Mr W. Thompson, of Cork, who had consulted him on the subject of establishing a Chrestomathic school in that place, Bentham says:—

BENTHAM TO MR THOMPSON.

"7th April, 1819.

"An undertakingsuch asyours should, if I mistake not, be preceded by all the appropriate lights which the circumstances of the time can be made to afford. Those I have in view are,—1. Mr Matheson's Institution. 2. The great orthodox school, called the National Society School, carried on, on Dr Bell's plan. 3. The great Schismatic school, carried on, on Lancaster's plan, called the British and Foreign School Society.

4. The great school, or schools, at Edinburgh; of which last, if you have a copy of my *Chrestomathia*, you see an account in the Appendix. Of the Bell school and Lancaster school, a general idea cannot but be more or less familiar to you. Within the field of reading, writing, and common arithmetic, all the instruction they afford is comprehended. To these, Mr Matheson's Institution adds a further acquaintance with arithmetic, book-keeping, Latin and French. Of the rapidity with which the arithmetical operations are there performed, as likewise the grammatical, so far as regards the parsing, construing, and the rules of prosody, I, as well as several very intelligent friends of mine, have been eye-witnesses,—it is only not miraculous. With regard to French, it may serve for understanding and silent reading; but for speaking, it is anything rather than French. Mr Matheson's dialect, so Scotsmen say, is of the broadest of broad Scotch. But to the purpose in question this matters nothing. By all this, you will say, much exercise and strength may be, and doubtless is, given to the memory; but, perhaps, little to the judgment, and not a great deal more to the conception, except as to the mere signs. This I should expect to find the case. But according to my notion of the matter, confirmed by that of others, you must either lose a great many years of time, or be content with a very weak association between the signs and the ideas. But when once the signs are lodged in the memory, and the corresponding ideas by ever so weak a string hooked on to them, the association becomes gradually stronger and stronger, and the ideas clearer and more expanded.

"What you seem to require as indispensable from the beginning, I acknowledge to be necessary to perfect intellection; but it is what I should be content to find at the conclusion of the course, and I have very little expectation of finding anything like it at the commencement. Be this as it may, promptitude seems to me to be a habit of prime importance; and when acquired with relation to any one subject, it seems

applicable, with more or less advantage, and with a greater or less degree of facility, to every other. What you have probably heard of the alacrity inspired by the new mode of instruction, is realized in Mr Matheson's, I am informed, in a very extraordinary degree. The great difficulty is, I am told, to tear the boys from the work, not to set them to it."

On inviting Mr Thompson to his house, he gives this account of his domestic habits:—

"29th Sept. 1819.

"During your stay in London, my hermitage, such as it is, is at your service, and you will be expected in it. I am a single man, turned of seventy; but as far from melancholy as a man need be. Hour of dinner, six; tea, between nine and ten; bed, a quarter before eleven. Dinner and tea in society; breakfast, my guests, whoever they are, have at their own hour, and by themselves; my breakfast, of which a newspaper, read to me to save my weak eyes, forms an indispensable part, I take by myself. Wine I drink none, being, in that particular, of the persuasion of Jonadab the son of Rechab. At dinner, soup as constantly as if I were a Frenchman, an article of my religion learnt in France: meat, one or two sorts, as it may happen; ditto sweet things, of which, with the soup, the principal part of my dinner is composed. Of the desert, the frugality matching with that of the dinner. Coffee for any one that chooses it."

MAJOR CARTWRIGHT TO BENTHAM.

"37, Burton Crescent,
"27th August, 1819.

"MY DEAR FRIEND,—The letter of Sir Francis Burdett is above all praise. I rejoice that *Westminster* is so prompt in meeting on this great occasion. She, I trust, will set an example worthy of the whole kingdom. But the occasion demands that even the bloody atrocity at *Manchester*, while written in words of fire that shall cause the hearts of Englishmen to burn within them, ought still to be treated as a mere illustration

of the necessity of restoring the constitution, *civil* and *military*; for hath not that atrocity been a direct consequence of the actual subversion of that constitution?

"If this moment be rightly improved, a great light shall burst forth, and our country shall be saved. The baronet's letter, in unison with the general feeling, will have prepared the public mind for a welcome reception of constitutional truth. But the crisis requires the pen, not only of patriot virtue, but of enlightened statesmanship and of profound philosophy. Let *England* and mankind have the benefit of yours!

"Most sincerely do I now wish, that the task of preparing *two bills*, for restoring the constitution in both its branches, had been undertaken by some one more competent to the work, than the volunteer whose zeal in the cause prompted the attempt. It would, at this crisis, have been an incalculable advantage, had the undertaker of the work stood on the loftiest height of reputation for talent and learning, that so the nation might willingly have followed the banner of such a leader to their salvation.

"But as Providence sometimes works by inferior agents, and, as on the present occasion, where not invention, but restoration,—where not original planning by a legislative architect, but repairing by a pupil, (provided fidelity to the original were but secured,) was all that was immediately indispensable, nothing more as to the work itself was perhaps wanting; although a great name might have commanded the aid that is necessary for a full accomplishment of the ultimate design and object in view.

"But if great names shall now sanction the work, such as it is; if those whose approbation can stamp on it the necessary value for currency, shall confer on it that value; all may yet be well.

"The late Lord *Liverpool* remarked, that 'Our Saxon ancestors, as much as they are ridiculed for their ignorance and barbarity, were possessed of one piece of knowledge, superior in real use to many modern refinements,—I mean

that of wisely constituting *civil* societies: their *military* establishments were, however, the distinguishing parts of their Government.'

"The *two bills* alluded to, would, as I presume, completely restore the plain Saxon fabric of our freedom: which done; then, taught by our experience the fatal consequence of wanting a *written delineation* of our CONSTITUTION, with a correspondent code of *ascertained* and *unpervertible* LAW, these might, and I presume they would, be early supplied.

"I send for your perusal a letter to *E. B. Wilbraham*, towards the end of which you will see what is said of one of the *two bills* above spoken of, as a *rallying standard* to the Reformers. *As such*, that bill was expressly pointed out at *Birmingham*; and the extensive and still increasing call for *its principles* and *provisions*, seem to manifest the policy of holding it up *as such a standard*.

"I would to God it had been, as it might have been, the bill of him for whom it was originally framed, and lay for more than a year for his adoption! or I would it had been that of a still higher authority in the science of legislation, and who has, in fact, given its principles a foundation of adamant!

"But what might have been most desirable is not now the question; but what, with the materials in our hands, is practicable? If the existing bill, for restoring the *civil* branch of the constitution, be but competent to the end in view, is it not the best policy of the crisis to hold it up as a rallying standard?

"It has been well observed, that resolutions expressive of mere *opinions*, are at the best unembodied abstractions, not calculated to take such hold of the human mind, as practicable systems of conduct for public salvation; since the one leads only to *thought*, the other to profitable *action*.

"And if the bill for restoring the *military* branch of the constitution, which is ready in manuscript, would perfect the foundation of our freedom, is not the crisis peculiarly favourable for a call to introduce it?

"I am well aware of the narrow views too often taken of extraordinary events, and of the cobbling expedients usually adopted by uncomprehensive minds; but I hope that the work of master spirits only, will be visible on this occasion in *Westminster*.

"The first meeting on this business, in the *Strand* on the 21st of this instant, was a mere hasty preliminary—a mere incitement. It was without any prospect of a patronage calculated to render it a national example.

"The whole country, after Sir Francis Burdett's letter, will look to Westminster for a right line of conduct. Let it be such as an occasion of such infinite importance demands, for calling forth energies to save the state! Let the bravest hearts and ablest heads be brought together without delay!

"If aught in nature would afford evidence that nothing short of *radical reform* can produce a power able to avert from our country complete slavery, we have, and in abundance, that evidence.

"And, in that evidence, we have the proof, that *radical reform* is in strict accordance with the eternal law of Nature, which is the law of the Deity for individual and national self-preservation; and that it is the only complete guarantee of *internal* right, justice, order, and tranquillity; as it likewise is, for a perfect invulnerability from external hostility or annoyance.—Yours truly."

BENTHAM TO SIR FRANCIS BURDETT.

"MUCH ESTEEMED DISCIPLE,—Man proposes: God disposes. In the event of a removal, I have all along had it fully in contemplation to profit by thy kind invitation last year signified; but Providence has ordained it otherwise. The cold weather is now come: to my weak eyes the heat and light of an ordinary fire are altogether unsupportable. I have here, as thou mayest perhaps remember, an apparatus for keeping the seat of my meditations in a state of moderate warmth, without visible fire. At Ford Abbey I had an apparatus for that same purpose: otherwise I could not, as in winter I did, have sojourned there.

"The produce of thy fields arrived here in safety: it hath assisted me in the support of my mortifications.

"Forget not the children of men: wicked and ungrateful as they are, keep thyself for their sake. For this cause, understanding that thy health is concerned therein, I hereby grant thee my dispensation; permitting thee to run after Foxes; yea, also after hares and Partridges.

"*Ce qui est différé n'est pas perdu*, sayeth a French proverb.—Receive the blessing of

"The Hermit of Queen's Square Place.

"Given at this my hermitage, this 5th October, 1819."

NOTES MADE BY BENTHAM IN HIS MEMORANDUM-BOOK, 1818-19.

"Antiquation—terminative or abrogative; Do. confirmative, terminative, or abrogative,—is the operation performed by the statute called of Limitations, and other such laws. In the case of the parties in whose favour the termination or abrogation is effected, is in the possession of a real entity, as a piece of land or a receivable article,—by the same operation of law by which the right of the party not in possession is terminated or abrogated, that of the party in possession is confirmed.

"The term *limitation* in use in English law, is not specific enough. The other term in use in Roman law, *prescription*, is shockingly inapt: in English law not less so. In each case it requires a long explanation to afford the glimpse of a meaning.

"In both cases, the act really done, it is the law and the law alone that does it—or causes one party to have the right in question, the other not to have it. What, by the term *prescription*, is the act *said* to be done, is the act of the party: a party by whose act, without the law, no effect can be produced. The act of writing, says the portion '*script*' or '*scription*:' bearing some relation to some object, says the proposition '*præ*': what the relation is, what the object, to neither of these questions does it afford the least glimpse of an answer.

"By something which he is to write, or cause to be written, the party is to call upon the constituted authorities to concur in the production of the effect in question in respect of the right; which done, the law commands them to act accordingly. This, such as it is, is the intimation conveyed, or endeavoured to be conveyed, by the legislator, or in the case of judge-made law, the judge, by the use thus made of the words, *prescription*."

"Murder upon a small scale—no: that is not good. Why? Because we are used to see men hanged for it. Murder on the largest scale. Oh, that is most excellent! Why? Because we are used to see men crowned for it."

"Evil, to which it is quite sure that it is impossible for you to apply any the least remedy, think as little of as possible: the more you think of it the more you increase it."

"Oppression well exemplified by anti-combination and anti-emigration laws. Anti-combination acts prevent men from earning subsistence at home; Anti-emigration acts from earning it abroad: both join in driving men into the poor-house and suborning suicide."

"For reputation, considered as one of the shapes of good, say *estimation*—it may include esteem and respect."

"Relation of *emotion*, *affection*, *passion*, and *humour*, to pleasure and pain, and thereby to one another:—

"An act is said to be the result or effect of an emotion, when the motive by which it is regarded as produced is a pleasure or pain considered as transient:—of an affection, when it is regarded as the result of a permanent, or say, an habitual, state of mind in which sympathy or antipathy towards the object in question, and consequently the pleasures and pains corresponding to them, are regarded as frequently having place:—of a passion—of a state of mind transient or permanent, in which the emotion or affection is regarded as being in a high degree of intensity:—of a man's humour, when the emotion, or

affection, or passion, is regarded as being produced by an incident, or sort of incident by which it is seldom or never produced in any other, or in more than a few other minds, in any degree, or in a degree equal to that in which it is produced in the mind in question."

"*Motives—Purity of Motives.*—The sources of the indefatigable pretensions on this head.—1. Strength of self-regarding affection on the part of the speaker or writer. 2. Perception of the prodigious strength of authority—of authority-begotten prejudice—of the magnitude of the part which derivative judgment has—of the smallness of the parts which self-formed judgment has—in the determination of human conduct upon the whole."

"*Ordo for Deontology (private.)*—1. Prudence (self-regarding.) 2. Justice. 3. Beneficence and benevolence. Prudence first: because, 1. Self-regarding affection is more necessary than sympathetic is to man, with relation to existence, and thence to happiness; to man in general, therefore to every man. 2. The subject is more simple: to wit, one human being alone—in the first instance. But prudence will be to be divided into, 1. Purely self-regarding; 2. Extra-regarding: self-regarding, as exercised when the welfare of no other person is at stake."

"*Logic, alias Metaphysics*, is the art and science whereby clearness, correctness, completeness, and connexity are given to ideas: its usefulness is in the joint ratio of the importance of the ideas to which it applies itself—to the ideas themselves—and hence to the expressions whereby they are designated—since it is only by means of this sign that these qualities, or any qualities, can for any length of time be given to the ideas.

"By *Logic, alias Metaphysics*, reason is applied to these several purposes.—'I hate metaphysics,' quoth Edmund Burke, in his pamphlet on the French Revolution. He may safely be believed. He had good cause to hate it. The power he trusted to was *oratory—rhetoric*—the art of misrepresentation—the art of misdirecting the judgment by agitating and inflaming the passions."

"*Defence against Edinburgh Review.*—Men's minds are known, not from professions but from circumstances. When a man has read, first the Reviewer's expressed or insinuated opinions, then my real ones, then let him say to himself whether there is a shade of difference.

"To J. B. no small advantage to have the *real* opinion of such authority on his side."

"*Constitutional Law.*—When a business is to be done, to do which in perfection may, in respect of local knowledge, require the operation of subordinate bodies, the legislature should do the business itself in the first instance, by arrangements not to take effect till a more or less distant day assigned, giving intimation to the subordinates to suggest amendments in the meantime:—instance, making or amending territorial divisions—counties and sub-counties—parishes and sub-parishes."

"If Christianity be the law of the land, disobedience to the precepts in the sermon on the Mount is an indictable offence."

"*Associated Suppressors of Free Inquiry.*—They are paid for supporting what? The truth? No! but that which is given them to support, whether it be true or no—like the hirelings of the law, purchasable male prostitutes."

"In Britain, the ruling few are in a constant state of alarm. Why? Because the government is a continued system of oppression and injustice.

"In the United States, they know not what alarm is. Why? Because, not having power to oppress, they never do oppress."

"By assuming extra-sapience, despots, instead of warranting despotism, warrant it by adding insult to it.

"The security of the people is as the strength of the people: the strength of a people (in every constitution but a democratical) is as the weakness of the government."

"*Use of the Rules of Deontology.*—Being at times free from excitation,

stored up in the mind, afterwards under excitation, viz.—by imprudence or maleficence—they may become useful, by checking the bad passion at its commencement.

“By being put into verse, their usefulness might be much increased.”

“Character—*cast* of mind,—better than *turn* or *frame*.”

“To each man the court of public opinion is that which sits in the circle in which he moves.”

“*J. B.’s knowledge of the World, Whig Lords, &c.*—Those who live with them, and, by describing their doings and looking at their titles, pretend to know what they are,—know only what they say. I, who might have lived with them, and would not live with them,—and who neither know nor care what they say,—know, and without living with them, what they think.”

“Similes, however fantastic, supposing them not inapposite, are of real use, viz. to conception. By adding to a generic, specifically, individually, designative conception, they give to it a determinateness and clearness which otherwise it might not have. Dead as a nit—as a door-nail, &c.”

“For diet, nothing but self-regarding affection will serve: but for a *dessert*, benevolence,—even universal benevolence is, make the least of it, a very valuable addition. Universal beneficence is within the power of very few,—benevolence, in its conceivable extent, is within the power of all.”

“All reading *pro forma* is non-reading.”

“Interest appeals to the *will*, argument to the understanding. What can argument do against interest? The understanding is but the servant—the very slave to the will. What can be done against the master by application to the slave?”

“*Deontology private.*—Beneficence, self-regarding motives conducing to the exercise of it.—

“N.B.—Justice is but beneficence—

positive or negative—considered in respect of certain occasions on which it is exercised.

“Beneficence may be considered as exercised,—

“1. Towards all persons, without distinction.

“2. Towards persons standing, with reference to the agent, in the relation of equals, superiors, and inferiors.

“Self-regarding motives for exercising beneficence towards all, without distinction:—

“1. By the services in question, probability created for the receipt of other services to an indefinite extent.

“2. Present exercise of power: thence enjoyment of the pleasure of power. Without sacrifice of self-regarding interest in any shape, almost every man in these ways advances it. Every man has more or less of time during which he has nothing particular to do. Let him employ it in beneficence.

“Justice is beneficence: in the cases in which the non-performance of it is considered as punished, or punishable by the force of one or other of the several sanctions: principally the political, including the legal, and the moral or popular sanction.

“In the above distinction, no reference is made to the occasion.

“The occasion is either permanent or transient. The permanent are those which are afforded by permanent situations.

“Permanent situations are those which are created by the several relations in life.

“These are either, 1. Private, or 2. Public. To the class of private belong domestic or family relations: to the public, those belonging to the official establishment.”

“*Precedent.*—The habit of taking it for a rule in the practice of the legislature, is an expedient employed for supporting abuse against utility and reason: precedent being an avowed substitute for reason, and all precedents the results of the predominance of the sinister interests of the ruling few.”

“For a *share of power*, a man will

do many a bad thing which he would scarcely do for any sum of money. Why? Because in what he does for the power, there are so many to give him countenance and support."

"The physical world is kept in the state we see it in, by the result of the contest between the principles of attraction, and those of repulsion. So likewise in the moral world.

CHAPTER XX.

1820—23. *Æt.* 72—75.

Libel Law in the United States.—Mr Rush.—Rivadavia.—Blaquiere.—Spanish Politics.—Dr Bowring's Introduction to Bentham.—Townsend the Traveller.—Extracts from Note-Book.—Table of Fallacies.—Cartwright.—Hobhouse.—Dumont on the Penal Code for Geneva.—J. B. Say.—Miss Frances Wright.—Lafayette.—Carlisle.—Re-eligibility of Representatives.—Note-Book.—Brougham.—Dr Bowring's Imprisonment in France.—The Greek Revolution, and Dr Parr.

ON the subject of Libel Law in the United States of America, the following correspondence took place between Bentham and a distinguished functionary of that country:—

BENTHAM TO RICHARD RUSH.

"On the subject of political libels, what I understood from Mr Quincy Adams, if I misrecollect not, was—that originally there was not any such thing in any of the United States, as an indictment for any such *cause*—civil action for the injury to the individual, nothing more: but that, at the recommendation of John Adams, (Quincy's father,) when *President*, an Act of Congress was enacted, making a political libel punishable by indictment in certain *cases*. That in virtue of this Act, *Onis*, then Envoy from the King of Spain to the United States, indicted *somebody* for a libel, either on him (*Onis*) as Minister from that King, or on the Spanish Government at large. (Marshal, was it?) I forget his name—whose daughter *Onis* had married, being the Chief Justice before whom the prosecution was tried. The verdict was—*Not Guilty*. After this President Adams lost a great deal of his popularity; and to the part he had taken in the occasion of that libel law, was the loss regarded as having been in a great degree *referrible*. Quincy Adams was kind enough to give *me* in writing, several articles of information of which

I stood in need; but I had neglected to beg leave to add this to the number.

"Taking for granted that which is above, is, as far as it goes, *correct*, (which, however, is more than I can be sure of,) to render it complete, the following are the particulars I stand in need of:—

"1. *Reference* to the law whatever it is, by which prosecution by indictment, in cases of political libel, was authorized.

"2. Reference to the law, whatever it is, by which the above-mentioned Act was repealed, or, at any *rate*, in some way or other, *the effect of it done away*.

"3. Does any indictment lie for a blasphemous libel? *I should suppose not*: Paine's *Age of Reason* having always been circulated, I am told, with undisturbed liberty in all the States.

"Perhaps, from your own collection or some one else's, you could favour me with the sight of the laws that bear upon the subject: within a week you might depend upon their being returned. This is a subject I have perpetual need to make reference to; and when laws exist, mention of the supposed purport or effect, without reference to the tenor of them, never can be adequately satisfactory."

RICHARD RUSH TO BENTHAM.

"March 21, 1820.

"Prior to what was commonly called the Sedition Act, there never was any

such thing known, under the Federal Government of the United States, (in some of the individual states they have sometimes, I believe, taken place,) as a criminal prosecution for a political libel. The Sedition Act was passed by Congress, in July 1798. It expired, by its own limitation, in March 1801. There were a few prosecutions under it whilst it was in force. It was, as you have intimated, an unpopular law. The party that passed it went out of power, by a vote of the nation, in March 1801. There has been no prosecution for a political libel, under the authority of the Government of the United States, since that period. No law known to the United States would authorize such a prosecution. During the last war, the measures of the Government were assailed by the party in opposition, with the most unbounded and furious license. No prosecution for libel ever followed. The Government trusted to public opinion, and to the spontaneous counteracting publications from among the people themselves, for the refutation of libels. The general opinion was, that the public arm grew stronger, in the end, by this course.

"There has never been any prosecution by the Government of the United States for a blasphemous libel. There is no law existing, of which I have knowledge, that would sustain such a prosecution."

On the trial of Sir Charles Wolsley and Harrison, Bentham sent his pamphlet, then entitled "Brief Remarks, tending to show the untenability of the Indictment," (Works, vol. v. p. 255,) desiring it should be distributed among the Judges, Jurors, and other parties before the trial—but under the advice of the lawyers this course was abstained from.

On sending to Rivadavia, his "*Emancipate your Colonies*,"* Bentham wrote:

BENTHAM TO RIVADAVIA.

"DEAR SIR,—You wish for a king for Buenos Ayres and Chili: so, at least, I understand from our friend Lawrence. If so, much good may it do you. But how much better would you be with a

king, than the Anglo-Americans without one? The Spaniards have a reason, such as it is, for having a king. But you have not that reason—nor ever had. Be this as it may, if I understand right, it is not the King of Spain that you wish for: on the contrary, you are determined not to have him. You would not have him when he was free: as little do you choose to have him now he is bound:—that is to say, you do not choose to be governed by a Spanish Cortes, in which ten times the number of votes you could hope for, would not give you any efficient protection against misrule; nor, at the long run, by a Spanish Ministry, after they had succeeded in establishing, as with us and in France, a despotism by corruption and military force together, in the place of the late despotism by military force. Well, then, what you want of Spain, is—that she, at least so far as you are concerned, should be willing to emancipate her colonies. In regard to her colonies, the case of Spain coincides, in many essential particulars, in this respect, with the case of France, in regard to her colonies, at the commencement of the French Revolution. The arguments in the enclosed Tract, for which I beg the honour of your acceptance, applied themselves in particular, to the case of France at that time. But, from that time to this, my opinion has been, that all colonies and distant dependencies, without exception, are essentially mischievous. I should say that the sort of connexion is essentially and preponderantly mischievous to the great majority of the people on both sides. In point of argument, I should not, on the general question, have much to add to the arguments of this little Tract: and, in point of spirit and compactness, I should, at this time of life, lose much. In point of argument, however, I should have to add something: I mean, in point of generally applicable argument: viz. on the subject of the corruptive influence, necessarily exercised on the representatives of the people in the governing country by the patronage: I mean, by the power of nominating to situations, clothed in factitious dignity, and to offices, clothed with power and

* Works, vol. iv. p. 407.

emolument, in the dependent country, as well as to offices in the military department by sea and land, and the civil department occupied in, or at least established for, the defence of the dependencies against foreign aggression, and keeping them in their dependent state. As to the applying the general principles to the particular case, as between Spain and her dependencies, here, of course, I should find myself at a fault. But you, Sir—you, whose interest in the matter is so immediate, and whose knowledge of the subject is so commanding—how could your talents at this crisis be so worthily employed, as by the application of them to this great question? viz. either by an original or independent work, or by a translation into Spanish, of the little Tract in question, if found worthy of it; with comments, applying the arguments to the present case; or, in short, devoting those talents to a something between both, or including both.”

While Blaquiere was in Spain, constant correspondence was kept up between him and Bentham on all subjects of political interest. He was a sort of wandering apostle of Benthamism,* originating and promoting the circulation of his works with enthusiastic zeal. Spain, indeed, is one of the countries where Utilitarian doctrines have taken the strongest hold. Several translations exist of the Treatises on Legislation, Political Tactics, and the Book of Fallacies. The Panopticon was rendered into Spanish, and the plan approved and adopted by a vote of the Cortes. Blaquiere's letters all represent the sanguine character of his mind: his disgust at the corruptive and oppressive intrigues of the few,—his confidence in the patriotic and courageous virtues of the many. Bentham's eager and hopeful spirit responded to all Blaquiere's anticipations. “How strongly,” he says to him, “has the great Spanish nation excited both our sympathies! An abler, or in any respect a more valuable agent I could not have had if, instead of a poor hermit, I had been a monarch with a

salary of an ambassador extraordinary to pamper him with.”

The Cortes of Spain in this year, came, in fact, to a unanimous resolution to avail themselves of Bentham's services in the preparation of codes of law for that country. Count Toreno, who was then the President, wrote of him as “*Lumbrera de la Legislacion y bienhechor de la humanidad*,”—Light of legislation, and benefactor of man.†

Blaquiere remained some time at Bayonne, carrying on his correspondence between France and England,—a diligent contributor to the newspapers of both countries. But he was much harassed by the police, and found that his letters were generally read,—and frequently detained.

Blaquiere's volume on the Spanish Revolution, contains a *resumé* of his correspondence,—highly interesting as it was to Bentham, who indulged the hope that democratic representation, which he deemed to be the only basis of good government, would produce all the fruits of public peace and prosperity which he had anticipated. And it cannot be denied that the violence of the enemies of freedom and reform, directed against the constitutional liberties of Spain, found its main source and strength in the *success* of the popular experiment. For, under the Cortes, justice was made more accessible,—education was widely spread,—the tithes were abolished,—reforms were penetrating into every department of the state,—the influence of the monarch, and of the aristocracy, both clerical and civil, was greatly curtailed. A few years of tranquillity would probably have firmly rooted the liberal institutions of Spain. But the Bourbon invasion of that country overthrew the hopes of the enlightened,—who, indeed, found some consolation, a few years after, in the more complete and ruinous overthrow of those very Bourbon invaders from the throne of France.

BENTHAM TO BLAQUIERE.

“June 5th, 1820.

“At this time I am hard at work

* He wrote the notice of Bentham which appeared in the “*Biographie des Hommes vivans*.”

† See Bentham's “*Letters to Toreno*,” Works, vol. viii. p. 487 *et seq.*

upon an almost hopeless attempt : that of persuading the rulers in Spain, whoever they are, to emancipate all Spanish America, even though said America were down upon her knees to beg to be retained. Of this said dominion, the only fruit to the Spanish people ever has been, or ever can be, immense expense, consequently immense taxes, without profit to the value of a halfpenny in any shape. Unfortunately, the case is the reverse, with regard to their rulers, whoever they are : to them vast profit, in the shape of patronage, every penny of it operating in the shape of matter of corruption, corrupting, by the possession and prospect of it, the members of the administrative body, and enabling and engaging them to corrupt the representatives of the people, members of the legislative."

In this letter, I find the phrase, "pressure from without," whose adoption by Sir Robert Peel has given it a wide currency.

"Does there seem any the smallest chance that, if convinced of what is above, the leading men in Spain, or any considerable section of them, or so much as any one who could procure for himself a hearing, would, either of his own motion, or by pressure from without, be induced to give support to any such proposal ?

"In my pamphlet on 'Emancipation,' nothing was said on the subject of *corruptive influence* ; for in those days, such was my simplicity, not having yet discovered the distinction between influence of understanding on understanding, and influence of will on will,—the nature and effects of corruptive influence on the representatives of a people, were unknown to me.

"'Townsend's Journey through Spain, in 1786 and 1787.' London. 3 vols. 8vo, 2d edition, 1792.—Is it in Spanish ? It contains a great quantity of matter, with which it would be of great use to them to be acquainted. I knew the author well.* Through the medium of the first Lord Lansdowne, through whom I knew him, he had access to everything,

and knew how to make his profit of it. From him are the following particulars:

"1. Anno 1786. Vol. ii. p. 181. After quoting various diplomatic statements, 'the fact is, if we may believe those who are the best informed, the Spanish colonies yield no *direct* revenue to the mother country ; nor yet any *indirect*.' So I prove.

"2. Anno 1771. 1. Expenditure, (national,) applying exclusively to Spain, pounds sterling, 750,790: add to it two 00, you convert it into reals vellon. 2. Expenditure, (national,) applying indistinguishably to Spain and Creolia, £2,877,723. Place to the account of Creolia, half that sum, this makes expense on Creolia, £1,438,861½. Add expense of Council of the Indies in Spain, £80,000. Together, £1,518,861½. Expenditure, (royal,) £1,281,732. Send the beloved to continue his embroidery, you strike off this last expense. But the authors of the Revolution, whoever they are, with their virtue, whatever it may be, how will they endure the mention of it ?"

Speaking of the Spanish Constitution, Bentham says :—

"Unless the number of stages of election be reduced *one*, the absurd prohibition of amendment of the constitution, for eight years to come, not only *must*, but *will* be done away, or *at least*, broken through. In France there is reason for adhering to the charter, *à toute outrance*, because, without the king's good-will, it is impossible for them to get anything better ; not so in Spain. All offices being in the king's (that is, in his new adviser's) nomination, they will continue, of course, except in so far as frightened out of it by the people, as much as possible of the present enormous civil list, —copying the example of the first French National Assembly, who gave theirs a most enormous one, much larger than ours, that there might be no want of offices to bribe them with. Note, *ratio* of king's annual expenditure to the whole : in England, as 1 to 100 ; in France, as 1 to 50 ; in Spain, as 1 to 4. Anno 1778, as above, probably not much diminished since. In Madrid, would all or any of these observations be endured ?"

* See above, p. 123.

The effect produced, in Spain, by Bentham's letter on the subject of an hereditary legislation,* was great. "The great mass of the nation," says a letter from Madrid, "had an instinct opposed to an Upper Chamber—it shocked their feelings. Many refugees who had been travelling in England, returned with sentiments of admiration for English institutions—institutions which have their foundation rather in the habits, than in the interest or the philosophy of the people. But in Spain, the proposal of hereditary legislation shocked the general sentiment; and Bentham's letters on the subject gave irresistible arguments to those who wanted no conversion—while they converted many more."

My acquaintance with Bentham began in 1820. The politics of Spain were the first bond of intimacy. Blaquier had suggested to Bentham that my knowledge of Peninsular matters might be not wholly without use to him. He invited me to his house. The intimacy strengthened from day to day. For the last ten years of his life, I believe, not a thought—not a feeling of his was concealed from me. Considering the disparity of age, I doubt if any man was ever more thoroughly possessed of the confidence of another than I possessed that of Bentham. Frequently I was an inmate of his house—always was I a welcome guest at his table. During his lifetime he placed in my hands the most interesting portion of his correspondence; and at his death, he bequeathed all his MSS. to my care, in order that I might select and superintend their publication.

Blessings, benefits, benignities, courtesies, in every shape, I have received at his hands. No son was ever honoured by an affectionate father with more evidence of fondness, esteem, and confidence. And to me his friendship was that of a guardian angel. It conducted me with faithful devotion through a period of my existence in which I was steeped in poverty and overwhelmed with slander. His house was an asylum

—his purse a treasury—his heart an Eden—his mind a fortress to me. It is only since his death, and when, in my situation of executor, all his papers have fallen into my hands, that I have learned how much I owed to his courageous friendship—his unbroken, his unbending trust. For I was calumniated on every side; and the calumnies were addressed in multitudes to my protector. His good opinion was turned aside by no insinuation; and the heavier the accusation, the more cordial and earnest was the defence. I give one of his earliest letters to me:—

"Q. S. P., September, 1820.

"DEAR SIR,—Now that you have taken me under your protection, there are some hopes for me. I am a hard-working, pains-taking man: a law-maker by trade—a shoemaker is a better one by half—not very well to do in the world at present: wish to get on a little: have served seven apprenticeships, and not opened shop yet; make goods upon a new pattern: would be glad to give satisfaction: anything they may be thought wanting in quality, should be made up for in cheapness: under your favour could get up some choice articles for the Spanish market: would not interfere with my protector: scorn any such thing: mine a different line: would allow a per centage for agency, if agreeable. A few samples were circulated some time ago by an agent of mine, M. Dumont, of Geneva: think they were approved of. He has set up for himself, and got a job there. I let him have some of my tools and materials. He was forced to take in partners. They had been so used to the old way, that they were a little awkward at the new one: they have been coming out by degrees; still it is but up-hill work. He would have had me take the job in hand and go through with it. If I lived, so perhaps I might one of these days, rather than the thing should not be done; but the market there is so narrow. Spain! Spain! there is something like a market! An order from that country would make a man work early and late."

* See the Three Tracts on Spanish and Portuguese Affairs, Works, vol. viii. p. 461.

Bentham thought highly of Townsend

the Traveller, and speaks of him thus, in a letter to a witty politician:—

“Never were better opportunities possessed by any traveller: never did opportunities find a traveller better qualified, in all points, for improving them to the best advantage. Mr Townsend had his introductions from the first Marquis of Lansdowne. His acquirements covered the whole field of useful knowledge: he saw everybody and everything: he was beloved by everybody he saw.

“He was a clergyman of our Established Church. But his charity was universal; and his piety, which was eminent, never displayed itself in any of those forms in which piety is, so unhappily, apt to be at variance with charity: nor, in the course of his travels in Spain, in any form in which (on the supposition of a little prudence on the part of the translator) it could give offence to the religious virtue in a Spanish mind.”

It is somewhat amusing to contrast the wit's opinion of Mr Townsend with the above:—

“I knew the man well: he was not so good as his book—a gross flatterer—an unfeeling person. The best thing that I know of him is, that he was esteemed by you, which, by the way, I never knew before. He ran mad about Moses; and besides his great book, *μὴν καὶ νῦν* really fancied with Huet, and Dacier, and some others, that he (Moses, not Townsend,) was the same as Mercury, and Priapus, and Pan, and the Lord knows what other obscene symbol—all grounded on his rod, which, had it twitched Townsend's tail, instead of bewitching his head, might have made him a better scholar, and something more of a philosopher. I lived a great deal with this ‘*helluo librorum*’: he made his own fire of a morning, and indeed did everything for himself, but wash his own hands, which neither he nor any one did for him,—for he was what the chambermaids called ‘a nice man’—that is, never dirtied the towels, nor emptied the water-jug. I pray you, forgive my repaying your friend's hospitality by this portrait; but he lived as much with —, as I lived with him,—

so *partie quitte*: besides, I only went to shoot a course at his house, and always gave him the game.”

This slashing style by no means pleased Bentham; and he wrote to a common friend, speaking of the general tone of his friend's correspondence:—

“I am concerned for —. That which it grieves me to see are those expressions of universal and indiscriminating scorn, which it delights him to scatter on all that come in his way, whether friends or foes. Evil communications corrupt good manners. He has learnt this from —; but — is an unhappy man, and is independent of the affections of the people. To be loved by men, a man must appear to love them; and for preserving the appearance, I cannot think of any means so sure as the reality.”

In 1820, an Italian translation of Political Tactics was published at Naples: the first edition was immediately sold.

There were published in Paris in 1821—“*Tables synoptiques des ouvrages de Jeremie Bentham*,” a sort of index *raisonné*, or classified analysis of the contents of his works. They were constructed by M. J. B. Gontier, a French lawyer. They consist of four sheets, but refer only to the works edited by Dumont.

NOTES IN BENTHAM'S MEMORANDUM-BOOK. 1820.

“*Constitutional Law*.—The pretence is, constitution *semper eadem*. The truth is, that, till arrived at U. S. representative democracy, it is continually upon the change, except under pure despotism. Every attempt to meliorate it is sure to produce new coercion here, and measures by which it is rendered less and less popular.”

“Communicate not to a friend, if permanently distant, vexations of yours unrelievable by him.”

“In the ethics of a monarch, there is but one virtue; obsequiousness to his will: there is but one vice; resistance to it.”

“*Rules for repression of Anger*.—

When cool, satisfy yourself completely of the usefulness of these rules. Being thoroughly lodged in your memory,—when any incidental provocation happens, to excite to anger, the recollection of these rules may serve to suppress it.

“To avoid giving useless offence on the occasion of anything you are about to do, or to say, in relation to any individual, think, in the first place, in what manner, if said or done in relation to yourself, it would affect yourself: if to yourself it would be a matter of indifference, think then, whether, between your situation and his, there may not be some difference, the effect of which would be to render painful to him what would not be so to you.”

“Of mathematics, the chief use is the habituating the mind to pay attention to the subject of *proportions*; and that in ethics as well as physics. For example, in ethics utility depends altogether on proportions; which *ipse-dixitism*, in the shape of sentimentalism, and all other shapes, neglects.”

“*Liberty of the Press—Defamation.*—The suppression of all true statements is an encouragement to, and almost a justification of lying ones.”

“Pretended suppressors of vice,—the weakness of whose faith is proclaimed by the strenuousness of their exertions to suppress all arguments against it.”

“While the Government punish *lies* that make against them, they have full impunity for lies that make for them.”

“Despotism punishes the vices which itself engenders: it creates the crime, and inflicts the penalty.”

“Under libel law, whatever is done for the safety, for the liberty, for the morality of the people, depends for its efficacy on the weakness of the law.”

“Curbing the irascible appetite as good a subject of exercise and boasting, as extraordinary walking, running, donkey-racing, chess-playing, &c.”

“In the East, the religion of Mahomet was propagated by the sword of war. In England, the religion of Jesus is up-

held by the sword of judicature, calling itself the sword of justice. To say that this support is necessary to its existence, is to contradict experience—the most notorious experience. For, in the Anglo-American United States it has no such support. Yet, in those States, the belief has place, with exceptions, to a much less extent than in England.”

“*Fallacies*,—to be added.—The not-much cause, therefore no-cause—argument.

“No preventing the past, therefore no preventing the future—argument.”

“*Penal Code.*—Offences against reputation. At suit of relatives, query, whether to give satisfaction, lucrative or vindictive, for offences against reputation of deceased relatives? If yes, only vindictive, and that not unless with criminal consciousness, not for rashness. Query, within what degree of relationship must be the plaintiff?”

“*Constitutional Law.*—Proof of the superior probity of the lower orders, the smallness of the proportion of crimes to numbers, considering that, by taxes and lawyers, they are divested of security for person, property, reputation, and condition of life against another’s transgressions.”

“For negating a pleasure, the best mode is indicating a better. The direct negation imparts disapprobation, and imposes pain of humiliation.”

“When anything is wished for at your hands, withhold it not on the score of any apparent unreasonableness, unless the unreasonableness be of such a nature as to produce evil to yourself or others.”

“*Evitanda.*—All discourse tending to give uneasiness to others without benefit to self or others. Example—Indication of imperfections of an irremediable nature, as bodily defects, mental defects, in so far as incorrigible, *ex gr.* stupidity, dulness of apprehension.

“In so far as indication is given of remediable imperfections, it should be in such manner that it may be seen that the motive is the benefiting the other

party,—not enjoying at his expense the pleasures of power and vanity. For this purpose, let it be in the presence of no other person that the indication is given; for if in the presence of others, the greater the number the greater the pain of humiliation, which, besides the irritation it may produce,—irritation from which you may yourself be a sufferer, it is so much pain produced in waste.”

“God is made by man after his own image: What is good by the beneficent; what is evil by the maleficent.”

“In all governments, democracy excepted, reason is never employed by rulers as a guide to will, but always as a slave. Will being always determined by the personal interests of rulers,—by the universal interest never.”

“Rich, why less moral than the poor?”

“1. The richer, the more independent of good behaviour.—2. The richer, the fewer with whom he sympathizes.

“The property of the rich is in no danger from the poor: the property of the poor is not only in danger from the rich, but constantly encroached on by them and lessened.

“The small property of the poor is, every particle of it, necessary to their subsistence; it is, therefore, more carefully watched and guarded: the richer a man is, the more careless, the better he can afford to see defalcations made from it.

“But the property of the poor is of

no value in the eyes of the rich: hence they conclude it to be of little value in the eyes of its possessors.”

“If the affections of him with whom you are about to commence a conversation be matter of indifference to you, all topics are open to you: if it be an object with you to gain or keep his affections, choose that topic, whatever it be, that is most agreeable to him. At any rate, you may avoid every topic which you know, or suspect, to be disagreeable to him.

“So as to hearing and making others hear: matter of prudence as to the proportion of time for making display, and hearing the companion’s display.

“Kind words cost no more than unkind ones. Kind words produce kind actions, not only on the part of him to whom they are addressed, but on the part of him by whom they are addressed,—understand, not incidentally only, but habitually, in virtue of the principle of association.”

The MSS. of the Political Fallacies were for sometime in Mr J. C. Hobhouse’s hands, who had expressed a wish to be the editor of them. His purpose, however, was not accomplished.

As an example of masterly analysis—the condensation of a volume into a page—I give here Bentham’s Headings of the Book of Fallacies as originally proposed by him. It differs considerably from the Table of Contents, as afterwards printed.

THE BOOK OF FALLACIES.

TITLES OF BOOKS, PARTS, AND CHAPTERS.

BOOK I.—FALLACIES OF THE INS.

PART I.—Fallacies, applying to men’s fears.

Ch. I. (1.) Holgoblin-crier’s, or Anarchy-crier’s, or Jacobin-crier’s, or Innovation-Denouncer’s argument.

Ch. II. (2.) *What’s-at-the-bottom?* or, *the-Devil’s-behind* argument.

Ch. III. (3.) Official-malefactor’s shift; or, Official-malefactor-screener’s device. *Attack us, you attack Government.*

Book I.—Fallacies of the INS—Continued.

Ch. IV. (4.) Accuser-scarer’s device; or, Failure-of-proof-and-calumny-confounder’s device; or, Escape-and-Innocence-confounder’s argument. *Infamy must attach somewhere.*

PART II.—Fallacies, applying to men’s self-diffidence.

Ch. I. (1.) Authority-worshipper’s; or, Blind-confidence-preacher’s device or argument.

Ch. II. (2.) Ancestor-worshipper’s argument;

Book I.—Fallacies of the INS—Continued.

or, Chinese argument; or argument in the Chinese style.

Ch. III. (3.) Precedent-worshipper's; or, *Where's-your-precedent-crier's* argument.

Ch. IV. (4.) Importance-and-difficulty-trumpeter's argument.

Ch. V. (5.) Browbeating-ignorance-professor's; or, Browbeating-ignoramus's, or self-stultifier's argument.

Ch. VI. (6.) Paradox-brandisher's device.

Ch. VII. (7.) Vaguely-insulting-vituperator's argument. *Wild, absurd, visionary, and senseless!*

PART. III.—Fallacies, applying to men's *self-diffidence—continued.*

Anti-rational Fallacies.

Ch. I. (1.) Practical-man's; or, Blind-horse's; or, Thought-scorner's; or, Reason-abjurer's argument.

Ch. II. (2.) Impracticability-crier's argument. *Too good to be practicable!*

Ch. III. (3.) Universal-corruption-pleader's; or, Hope-destroyer's argument. *Let them mend themselves.*

Ch. IV. (4.) Excellence-abhorrer's; or, Perfection-denier's; or, Meliorability-denier's argument.

Ch. V. (5.) Self-contradicting-wiseacre's; or, Shame-candid-knave's argument. *Good in theory—bad in practice.*

PART IV.—Fallacies, applying to men's *superstitions.*

Ch. I. (1.) Posterity-chainer's; or, Eternal-bar-pleader's; or, Unalterable-Institution-pleader's device.

Ch. II. (2.) Jephthah's-vow-pleader's; or, Oath-pleader's device.

Ch. III. (3.) Allegorical-personage-worshipper's; or, Allegorical-personage-trumpeter's device.

PART. V.—Fallacies, applying to men's *indolence and indifference.*

Ch. I. (1.) *All-hush-without-doors* argument; or, *Hold-still* argument; or, *Nobody-grumbles* argument.

Ch. II. (2.) Anti-preventionalist's; or, *Suffer-first* argument.

Ch. III. (3.) General-prosperity-pleader's; or, Vicarious-comfort-preacher's; or, Vicarious-relief-preacher's; or, *Happy-all-but-you!* argument; or, *What-signifies-it?*; or, *Never-mind-it!* argument; or, Sham-consoler's argument.

Ch. IV. (4.) Procrastinator's-shift; or, *By-and-by*; or, *Wait-a-little*; or, *Not-just-now!* or, *To-morrow's-time-enough* argument.

Ch. V. (5.) Snail's-pace-preacher's; or, Graduality-preacher's argument.

BOOK II.—FALLACIES OF THE INS.

PART VI.—Fallacies, applying to men's *antipathies.*

Ch. I. (1.) Bad-motive-imputer's argument.

Ch. II. (2.) Bad-design-imputer's argument.

Ch. III. (3.) Bad-character-imputer's argument.

Ch. IV. (4.) Inconsistency-imputer's argument.

Ch. V. (5.) Quondam-bad-opinion-imputer's argument.

Ch. VI. (6.) Bad-connexion-imputer's argument.

Ch. VII. (7.) Bad-name-bestower's argument; or, *Give-the-dog-a-name-and-hang-him* argument. Anarchist!—Atheist!—Jacobin!—Blasphemer!

BOOK III.—EITHERSIDE FALLACIES.

PART VII.—Fallacies, applying to men's *sympathies.*

Ch. I. (1.) Laudable-motive-trumpeter's argument.

For examples, see Erskine's Defence, and Burke's Pamphlets—Debates, and Morning Chronicles.

Ch. II. (2.) Laudable-design-trumpeter's argument. See do.

Ch. III. (3.) Laudable-character-trumpeter's argument. See do.

Ch. IV. (4.) Consistency-trumpeter's argument. See do.

Ch. V. (5.) Inbred-laudable-disposition-trumpeter's argument. See do.

Ch. VI. (6.) Laudable-connexion-trumpeter's argument. See do.

Ch. VII. (7.) Good-name-bestower's; or, Puffing-godfather's argument. See do.

Ch. VIII. (8.) Human-idol-trumpeter's; or, Deified-dead-man-trumpeter's argument.

Ch. IX. (9.) Self-trumpeter's; or, *Pretty-poll's*; or, *Who-but-I's* argument. See do.

PART VIII.—Fallacies, applying to the Judicial faculty.

Ch. I. (1.) Question-begging-denomination-employer's; or, Crafty-generalizer's argument.

Ch. II. (2.) Calculation-spurning-partiality-preacher's device. *Argue not against use from abuse.*

Ch. III. (3.) Calculation-scorning-atrocity-justifier's argument. *The end justifies the means.*

Ch. IV. (4.) Eulogizing-lumping-classifier's; or, Logical-cloud-climber's; or, Logical-high-flyer's; or, Distinction-confounder's; or,

Book III.—EITHERSIDE Fallacies.—Continued.

Discrimination-eluder's ; or, Deformity-cloaker's device.*

Ch. V. (5.) Sham-distinguisher's device. *Respect the liberty, but crush the licentiousness of the press.*

Ch. VI. (6.) Cause—obstacle—and uninfluencing-circumstance-confunder's device or argument. *Before it, or along with it, therefore the cause of it.†*

Ch. VII. (7.) Bar-vice-amendment-urger's ; or, Lumping-condemner's device.

Ch. VIII. (8.) Crafty-diversion-creator's argument. *Why this, when there is that and that ?*

Ch. IX. (9.) General-rule-strainer's device.

* * Quere, exemplar ?

Ch. X. (10.) Opposer-general's ; or, Defender-general's justification argument. *Not measures but men ; or, Not men but measures.*

BOOK IV.—FALLACIES OF THE OUTS.

PART IX.—Fallacies, applying to men's *jealousies and envyings.*

Ch. I. (1.) Blind-place-abhorrer's cry. *What ? More places ?*

Ch. II. (2.) Blind-job-denouncer's cry. *What ? More jobs ?*

NOTE.—Both the arrangement and the nomenclature are (the author is fully sensible) open to much amendment : as well as the number of fallacies to augmentation. In many instances, it may be scarce possible to say to which of two or more heads of fallacy the examples most properly belong : and, in this case, the nomenclature will be apt to present itself as inapposite.

To each fallacy a chapter is allotted. But the

* Examples of clouds, cloaks, and foul spots covered by them :—

<i>Cloaks.</i>	<i>Foul Spots covered by them.</i>
1. Order, repose, quiet, internal peace, tranquillity of states.	1. Tyranny—viz. by 1. Force. 2. Intimidation.
2. Forms.	2. Fraud and tyranny in all shapes.
3. Influence.	3. Intimidation and corruption.
4. Law.	4. Its abuses in all shapes.
5. Church.	5. Its abuses in all shapes.
6. Constitution.	6. Its imperfection.
7. English Institutions.	7. The bad ones, and the imperfections in the good ones.

† For examples, give a list of *states of things*, with their *true causes*, and the *obstacles*, and *uninfluencing circumstances* erroneously assigned as causes of them.

number of the chapters will not exactly correspond with that of Fallacies. For in some instances, there may be an introductory chapter of explanation : and, in some instances, under one head of fallacy, the examples are so numerous, and the matter so copious, as to require several chapters. In each chapter are frequently several sections.

Note—That with the exception of the Fallacies (Part VIII.) applying to the judicial faculty, all the Fallacies in this table are *irrelevancies*. Additions have been made at divers times : and even now it is far from being regarded as finished. In some instances, perhaps, nothing will be found but the title of the fallacy, neither examples, nor so much as general observations. Meantime, a foundation is laid : and it is hoped some progress made.

“Among the fallacies,” added Bentham, on another occasion, “not entered in the Book of Fallacies, is prudential præterition, or non-contradiction fallacy.

“*Exposition.*—When, having a bad cause to defend, a man feels himself pressed by an argument, to which he is unable to find so much as a tolerably plausible answer, he, perforce, passes it over unnoticed ; and by whatsoever form he can contrive to give to his attacks or defences upon other points, uses his endeavours to drive off the attention of the judge or judges, whosoever they are, from the sore place.

“The more irresistible the argument is on which this mask of secret submission is bestowed—the more irresistible the argument, and, therefore, the more strict the necessity of taking this course in relation to it,—the more questionable may perhaps appear the propriety of placing upon the list of fallacies this unavoidable last shift.

“Of the mention here made of it, the principal use is the subjoining to it a memento to the arguer on the right side—to be on every occasion on the lookout for the instances in which such silence is maintained on the other side : and not to omit the opportunity which they may afford him of well-grounded and useful triumph. Proportioned to the cogency of the argument thus eluded, is the evidence which the silence affords of what is called *mala fides*—consciousness of being in the wrong—say, in a word, *evil* consciousness on the part of the self-constituted mute adversary. Wheresoever on this, as on any other occasion, such evil consciousness has place, no opportunity of holding it up

to view, ought ever to be omitted. The stronger and more extensive the dispute, the stronger is the repressive force with which the exposure tends to render the practice of this shift less successful, and hence, less frequent: and, in a word, to augment the probability of victory to every good, and defeat to every bad cause."

MAJOR CARTWRIGHT TO BENTHAM.

"37, *Burton Crescent*,

"17th January, 1821.

"MY DEAR FRIEND,—Allow me to congratulate the cause of freedom on the results of yesterday's meeting of the county at Hackney, and, not in the least degree, on three resolutions which, after an able and eloquent speech, were moved by Wooler, and unanimously passed as follows:—

"Resolved,—That for vigilantly watching over all movements in the great cause of *Reform*, either in or out of Parliament: and in order to apprise the nation whether such movements be *constitutional* or *unconstitutional*, or in what degree *imperfect*, it is extremely to be desired that a few decided friends to Constitutional Reform should unite in counsel and coöperation.

"That it is the earnest request of this meeting that the nine gentlemen to be named, will, for the purpose aforesaid, consent to consult and coöperate together, as *Guardians of Constitutional Reform*, viz.:—

"BENTHAM, JEREMY, Esq.

"BURDETT, SIR FRANCIS, Bart.

"CARTWRIGHT, MAJOR

"DRAPER, The Rev. WILLIAM

"ENSOR, GEORGE, Esq.

"HAYES, The Rev. RICHARD

"WILLIAMS, ROBERT, Esq., C.N.

"WOLSELEY, SIR CHARLES, Bart.

"WOOD, MATTHEW, Esq.

"That as all reports and observations to be made by the said GUARDIANS OF REFORM, will equally concern the entire Democracy or Commons of the United Kingdom, it is desired that such reports and observations be uniformly made through the medium of such daily, weekly, or other newspapers, published

in the *Metropolis*, as shall be open to the gratuitous insertion of them as news, and not otherwise."

"And when you shall see the petition unanimously voted, I trust you will find that Radical Reform and Democratic Ascendancy are in a fair way to prosper."

MAJOR CARTWRIGHT TO BENTHAM.

"18th February, 1821.

"MY DEAR FRIEND,—Our two *legislatorial* members having declined to accept the office of out-of-doors guardians of Constitutional Reform, it remains for the seven wise men who are left upon the roll, to agree on their mode of consulting and coöperating in that service, as occasion may require.

"As you may have the smallest portion of disposable time at liberty, your convenience ought to be consulted. Will you chalk out the line that would best suit yourself?

"The subjects on which our guardianship may need to be exercised, will, of course, arise only occasionally; but, nevertheless, a weekly meeting might be expedient, although a part only of the seven may be able to attend with regularity. For an original conference, I mean to invite my brethren to dine with me some day this week. If you can favour us with your company, name the day most convenient to you. Having among us two divines, we cannot have Sunday meetings, holy as our work in reality is.

"At all events, after such a request of a general meeting of the central county, the seat of public business, and considering the great probable utility of such a guardianship, it seems highly proper that those who are willing to act should consider on the best mode. Holding myself in readiness for the service, I am at your command, to confer with you on the subject at your own time and place.

"Yesterday, among some M.P.s, it was said by one of them, that Lord J. Russell's Grampound louse was to be cracked by the huge thumb-nail of the Lord High Chancellor. When the fate of the louse shall be decided, the circumstance, whether the end be life or

death, may perhaps furnish matter for a concise comment.

"Our friend Ensor writes in high spirits. I expect him in London ere long.—Yours truly,

"J. C."

BENTHAM TO MAJOR CARTWRIGHT.

"Queen's Square Place, Westminster.

"18th February, 1821.

"MY DEAR FRIEND,—Your letter of this day's date, replete with kindness as it is, in proposals as well as sentiments, cannot from me receive any other requital than that of a confession, in form, of my utter, and completely self-conscious incompetence. If, for the '*out-door Guardianship of the Constitution*,' '*seven*' be the desirable number of your '*wise men*,' I had, at our last conference, the honour to bring to your view the mode of numeration, by which, according to my arithmetic, it may be made up.—Yours ever."

But the Major was not willing to allow Bentham to withdraw from the field of active usefulness, to which he had been invited; and in answer to another very urgent letter, Bentham replies:—

"Q. S. P. 9th April, 1821.

"MY DEAR FRIEND,—I am a non-entity. A nonentity is nothing, and can do nothing. Why will you persist in regarding me as an existing being? The kingdom of Reform is yours: I am not worthy to set a foot in it. Govern it in your own way. The kingdom,—I should have said the empire: as in Japan, two emperors,—the temporal and the spiritual. Father Hayes, the spiritual. I need not say who the temporal is.—Your affectionate and obedient servant,

"JEREMY BENTHAM,
"Half blind."

BENTHAM TO J. C. HOBHOUSE.

"Queen's Square Place, Westminster,

"31st January, 1821.

"DEAR SIR,—That hen that was to have laid the golden eggs, I wish you could contrive to catch hold of her and rip her open, that we may come at what ever embryo gold there may be in her:

for, if we wait till it comes out in the regular way, I fear we shall have disappointment instead of eggs. There was a time when your humble servant was 'an eagle,' and the bird in question 'a Tomtit,' perched upon his wing. I forget the *Anno Domini*; but it was when Pythagoras was Panthoides Euphorbus. It looks to me as if, since then, she had undergone a fresh transmigration, and become a *humming-bird*. I am drawing up a 'Whereas,' for Mr Cobbett to insert in his *Register*, offering to any one that will catch her and bring her to his office that he may wring her neck off, a suitable reward, to be paid with that punctuality which, in the case of a reward in any such impressive shape, any man may make so sure of at his hands. For my part, if ever I should spy her again, I should put on again my eagle form, which would not cost me quite so much as it did the first time, and peck her till she sung *peccavi*; and, transforming herself into a Condor at least, not to speak of Roc, laid eggs of magnitude proportionable. 'A bird that can sing and won't sing, should be made to sing,' says the proverb: and if there is not another about laying of eggs, it is high time there should—meaning, of such eggs as are the fruits of promise.

"***** I had to dine with me yesterday, that I might be the better able to judge what he could do for the good cause, and what he is made of. My judgment, such as it is, is much in his favour. The views he gives of things, in the two numbers of his '*periodical*,' so far as I have found time to hear them, agree perfectly with mine. In his conversation, no boasting or figurative rhodomontade: in regard to matters of fact, plain and distinct statement, with all the marks of simplicity and verity: in particular as towards myself, except appearing pleased, and at his ease; no flattery, not a particle of flattery: not a grain of eulogy declared, or so much as insinuated. Not but that my mouth was open to have swallowed it all, had there been ever so much of it; but none came, and you see I have forgiven him notwithstanding. I see no reason to apprehend that what

ing down, or squirting up, scorn upon their heads, out of a full chamber-pot, borrowed from Lord B., is not the way for a man to make either them or himself the happier.—Dear Sir, your sincere—it will be seen whether too sincere friend.”

DUMONT TO BENTHAM.

(Translation.)

“*Geneva, 22d February, 1821.*

“Our penal code has occupied a hundred sittings, each four hours long, without reckoning the time it took me to prepare it. It now goes to the Great Commission: thence to the Council of State;—then there will be an inquiry: and then it will go to the representative body, which will nominate another commission; all the discussions will be resumed—and there will be three debates in the Assembly: this is the *enfer* through which I have to pass. * * *

“I am far from satisfied. I have been compelled to make many sacrifices. The expositive part is mutilated. The instructions of the Council of State required that a maximum of punishment should be established, which the judges may diminish. And this has enervated the whole law. Yet it is based upon your views. Every crime is defined—there is an exposition, such as it is,—aggravation and attenuation are introduced,—private and public offences follow the appropriate order. This is a great point: it shows the practicability of your plan—that it is not, as the reporters of the Penal Code in France decided, ‘a beautiful speculation of a study.’ It is evident that this manner of treating Penal Law, is the most complete and the most compact. The punishment of death is preserved, but almost only *in terrorem*, and for cases so grave, that the public sentiment would scarcely be wounded by its infliction.”

The *Diario das Cortes*, of 15th April, gives the following account of what passed in the Chamber of Representatives, at Lisbon, on the presentation of Bentham’s writing:—

“A letter was read, which had been directed, by his Excellency Joze da Silva Carvalho, to Senhor Sepulveda, (a

deputy,) accompanying the works presented by the illustrious J. Bentham to the august Congress. Senhor Sarmento proposed, that out of respect to the illustrious Jurisconsult, an exception should be made from the rules of the House, and an honourable mention made of that present. Senhor Moura was of the same opinion, adding, that the Regency should be directed to order that those works be translated into Portuguese. Senhor Malgahaes advised, that a copy of the Act should be sent, by the same channel, to the Patriarch of the Constitutionalists.—All which was agreed to.”

BENTHAM TO CARTWRIGHT.

“*Q. S. P., 1st June, 1821.*

“Joy to great Cæsar! They relent,—they are afraid of you. You are, however, a little disappointed: and because you are, I am. Three months in a Bastille would have been a crown of martyrdom.”

J. B. SAY TO BENTHAM.

(Translation.)

“*Paris, 8th July.*

“Public affairs fill me with profound disgust. France is a robust body covered with vermin, which suck, and gnaw, and irritate it. At the first movement the vermin will be crushed,—but the movement must take place,—and it will be a spontaneous movement. Counsels have, indeed, been given,—and given in vain, and the counsellors are strangled.

“In political cases, the jurors are selected from even among the personal enemies of the accused. Advancement, recompenses, follow those judges whose judgments are the most severe. Buonaparte placed the judiciary at the disposal of the executive, and our courts are become the instruments of our police. Administration exercises the functions of a Police, in the interest of the rulers, and nothing more.

“According to the law, only newspapers ought to be subject to censorship. All publications are so, in fact. Five copies must be deposited before publication,—and, if the object be popular, there is a judicial seizure which prevents the sale. Appeal is useless: to whom

can an appeal be made? To the very persons from whom the arbitrary orders emanate.

"Yet our people cry, Long live the Charter! so your people cry, Long live the Queen!—It means little,—it is only a cry of opposition. The state of the world astonishes, as much as it afflicts, the philosopher. Nothing is like it in history,—except the Stuarts' period with you,—and this will end as that ended.

"There is, indeed, food enough for exasperation,—but the remedy is at hand."

Miss Frances Wright's "View of Society and Manners in America," had much interested Bentham, and brought about a personal acquaintance and correspondence with the author. In one of her letters (Sept. 12, 1821) she gives this account of La Fayette:—

FRANCES WRIGHT TO BENTHAM.

"Having passed a day in Paris, I set out for La Grange, (about forty miles English from hence.) Imagine my dismay, on finding that General Fayette had crossed me on the road, having been summoned on business to Paris. His family (which comprises three generations,—sons and daughters, with their wives, husbands, and children, to the number, in all, of nineteen) received me with every possible demonstration of respect and regard, but were in despair at the absence of the General,—as I was in the same. I determined to return next day, to meet him here, which I did. You will say again, 'giddy goose,' why did you set off for La Grange, without having written beforehand? There are reasons for everything, great philosopher. I had found a letter in Paris notifying the approach of some English friends, who were coming to see all the sights of this gay city, in the short space of ten days. Civility, therefore, constraining, for this period, my presence in Paris, I was obliged to seize the only day that remained to me before their arrival, for my journey into the country. Returning late at night, I sent a note, early the following morning, to General La Fayette, who soon answered it in person. Our meeting was scarcely without tears, (at least on my side,) and whether it

was that this venerable friend of human liberty saw in me what recalled to him some of the most pleasing recollections of his youth, (I mean those connected with America,) or whether it was only that he was touched by the sensibility which appeared at that moment in me, he evidently shared my emotion. He remained about an hour, and promised to return in the evening, (he was engaged to dine with Constant.) My sister, and all the rest of the family, escorted to Beaujons (a sort of Vauxhall) our English friends, while I remained to receive General La Fayette. We held an earnest *tête-à-tête* until after midnight. The main subject of our discourse was America, although we wandered into many episodes and digressions.

"The enthusiasm and heart affection with which he spoke of *our Utopia*, the high respect he expressed for the character of its people, the ardent love of liberty which breathed through all his discourse, found, I need not say, an answering note of sympathy in me. He told me he had been particularly interested by the allusions in my work to the history of the American Revolution: 'you made me live those days over again.' In speaking of the revolutionary army, he exclaimed, 'We were an army of brothers; we had all things in common, our pleasures, our pains, our money, and our poverty.' At another time, he observed, 'No historian could render justice to the virtues of that army, no words could paint their sufferings, still less could they paint their fortitude, their disinterested, and sublime patriotism.' He observed, also, upon the simple manners, warm hospitality, and pure morals of the American nation, 'You have only rendered justice to them,' he added, smiling; 'truly they are the best and happiest people in the world.' I need scarcely say, that we talked of you often, and that General La Fayette expressed the highest respect and admiration for the philosopher and philanthropist, to whom, as he observed, the whole human race owes a debt of gratitude."

Miss Wright reports, from General La Fayette's authority, several interest-

ing anecdotes connected with the American Revolution :—

“A few days after the surrender of Burgoyne, General Gates, greeting his prisoner, of whom he had already made a friend, held out his hand, and shaking that of Burgoyne, exclaimed, with his usual characteristic warmth and frankness—‘I am very glad to see you, General.’ ‘I do not doubt you are,’ returned B.; ‘but I call God to witness, that I did all in my power to prevent your having the pleasure.’”

“When the news came to Europe of Howe’s entrance into Philadelphia, an Englishman said to Dr Franklin—‘Well, Doctor, Howe has taken Philadelphia.’ ‘I beg your pardon, Sir, Philadelphia has taken Howe.’ This was well verified, when Howe was shut up there for the winter.”

“While Franklin was negotiating in Paris, he sometimes went into a café to play at chess. A crowd usually assembled, of course to see the man rather than the play. Upon one occasion, Franklin lost in the middle of the game, when composedly taking the king from the board, he put him in his pocket, and continued to move. The antagonist looked up. The face of Franklin was so grave, and his gesture so much in earnest, that he began with an expostulatory, ‘Sir.’ ‘Yes, Sir, continue,’ said Franklin, ‘and we shall soon see that the party without a king will win the game.’”

A curious fact, connected with French politics, is mentioned in one of her letters. “We went yesterday, for the first time, to the Chamber of Deputies, and saw the entrance of the new ministers drawn from the ultra benches. The ultras have had a hard fight for the victory. There has been, for the last three weeks, a most amusing union of votes between the *extrême droite* and *extrême gauche*. Indeed, all parties seemed agreed in flouting the ministers, however different their ground of quarrel. The king, finding it impossible to carry anything—his speech censured by the Chamber, and his bills thrown out, struck his colours three days since, and gave to Monsieur the nomination of the

ministers; upon which occasion he is reported to have said, ‘*Je ne suis pas fâché de cette occasion assez curieuse de voir de mon vivant comme les choses se passeront après ma mort.*’”

“When the present Beotian race of ministers made their first bow to the king, after some gracious speeches, (which the cunning old gentleman can always say to those he dislikes,) he nodded his head, and cried *macte animi*. ‘*Le Roi nous a très bien reçu,*’ said one of the party as they left the presence. ‘*Comment bien reçu!*’ exclaimed the Duc de Bellune. ‘*Marchez animaux! Je ne trouve rien de bien poli là.*’”

When Carlisle was imprisoned, Bentham wrote to him a letter with a subscription, in which he says :—

BENTHAM TO RICHARD CARLISLE.

“In consequence of your advertisement in the *Traveller*, of the 10th or 11th October, 1821, I write this to desire your acceptance of £ , as a contribution towards your support under persecution: and as a testimony of my respect for your persevering intrepidity and self-sacrifice, in the cause of what, in your eyes, is useful truth.

“At the same time, it is my desire, not to be understood as meaning to express any opinion for, any more than against, any of the opinions, whatever they may be, to which you have given expression in any of your works: whatever they may be, had they been opposite to what they are, my weak endeavours towards your support, under the oppression you are enduring, would not have been otherwise than they are. Your cause is, in my eyes, the cause of all dissenters of every denomination, from the corruptive and demoralizing, and stupifying tyranny of every established and persecuting church. Nor should I regard with less sympathy and indignation, any persecution for opinions directly opposite to mine in every point, than for opinions directly coincident with my own in every point: nor do I understand how any Christian dissenter, of any denomination or profession, can, with any

pretension to consistency, complain of any hardship, which, in that character, it may happen to him to labour under, and at the sametime regard, without still stronger emotion, those afflictions and hardships which have been heaped up upon you, under which you have been so long and so manfully standing up.

"These sentiments, which, as long as I can remember anything, have been always mine, it is no small satisfaction to find concurred in, as I have found in numerous instances, by men of distinguished piety, and whose belief in that system of opinions against which your writings are directed, has ever been unquestioned. One I will mention without difficulty, he having been for some time out of the reach of all injurious antipathies. It is the late Reverend Dr Lindsay. I know not, nor do I wish to know, whether the opinions which you advocate, are of that sort which denominate a man an atheist. If they are, you may number among these, in whose eyes any prosecution instituted against you on that account, would have been no less odious than they are in mine—that amiable and universally beloved divine. This part of his sentiments, is, I believe, in print, under his name. Be this as it may, that they were his, and that he made no secret of them, is what I am assured by the assurances given me by some of the most intimate of his friends. The philanthropy, in which is necessarily included the horror of intolerance on the score of opinion, forms a bond of union and sympathy, the strength of which is greater than that of any principle of disunion that can be produced by particular opinions however opposite, on points however important. It is to these I ascribe an effusion of sympathies, which that excellent man produced in a blank leaf of a richly bound volume of his sermons with which he presented me not long before his death.

"I mention atheism, as being the strongest case, and as affording to persecution its most plausible pretence. As prosecutions on this account, and every other endeavour to suppress or cramp the circulation of that or any other opinion, on a subject of such prime impor-

tance in religion, have experienced the most decided disapprobation from the men preëminent in piety, according to the Christian system—so among those who have taken the most furious and most conspicuous part in such prosecutions, have been those in whose instance atheism, professed in the most violent and offensive manner, has been notorious.

"In my eyes, not only is any such persecution an act of immorality in one of its most mischievous shapes, but a sort of confession or presumptive evidence of non-belief in the very opinions which the persecutor thus professes to support.

"No man is so lost to shame, as to maintain, that, in any other part of the field of thought and action, it can be subservient to justice, it can be otherwise than subversive of justice, to suppress any relevant argument on either side, while those on the other side are free; how that which is unfavourable to the establishment of truth for determining the conduct of a Jury, can be less unfavourable to the discovery of truth, for the purpose of determining the conduct of a Judge, or every other person, in matters of religion, is what I am unable to perceive."

In 1821, I was engaged with Bentham in a controversy on the reëligibility of representatives. By the Spanish constitution of 1812, no deputy was reëligible. Bentham attacked this provision. "As soon as the man has learnt his trade,"—he argued—"You say he shall not carry it on." But it appeared to me that the quantity of intellectual aptitude which he gained by experience was more than counterbalanced by the amount of moral aptitude which he lost by the possession of power. Bentham wished me to tell him some of the grounds of my opinions. I wrote to him from Madrid, December 9, 1821:—

JOHN BOWRING TO BENTHAM.

"I have seriously thought of it—and I mean to attack you—to attack you in your very tower of strength. I mean to justify the '*non-reëligibility clause*.' I have been weighing reasons for days: I

have been weighing them in your balance, and I fancy I see my way clear through them.

"You are curious to see the *something* which is to be said. Now, what greater security can you have for the subject many, than to make the *permanent interests* of the *ruling few* those of the *subject many*; and how is this to be done? By making every man, through the greater part of his life, and in the great mass of his interests, one of the *many*, you will induce him to take care of their interests, because they will be his interests while he is one of the *few*. He who knows (for instance) that he is to be 39 years of life one of the governed, and only one year one of the governors, has the motives of 39 years, which will weigh in favour of the *many*, and the motives of only one year to weigh in favour of the *few*.

"Again, is the possession of political power that which best fits us for its exercise? I should think not. I never knew the man who was not injured or spoiled by it. I never knew the man who did not think his reasons better for being authoritative. I never knew the man whose reasoning did not become more *authoritative* when it acquired factitious influence. Is your experience with mine?

"You will say—they won't reelect the man who is injured or spoiled—but, I imagine, the contrary is the experience of almost everybody: is it not better to elect one, the freshness of whose public virtue the mildew of political power has not yet invaded?

"I remember to have heard the most intelligent American I ever met with say, that, in the U. S., even with that minor portion of political power they confer, there had been no instance of a man being undeteriorated by it: that Jefferson withstood its influence longer than any other man; but after five-years' possession of power, he was changed, and felt it, and owned it. My friend added, that one year sitting in the legislature, unfitted ninety-nine out of a hundred for legislation: and he had been, and is in habits of intercourse with almost everybody of public or extensive reputation. I have now special opportunities of mark-

ing the corrosive influence of power on my old friends of the Cortes: and I say—give me what I have here—Universal Suffrage—and I would not have *one* of them reelected—No—not Toreno? Heaven forbid! Nor Puigblanch?—no—Nor Quiroga?—worse than either.

"There is not a man among them what he was in 1819. There is not a man among them who is not looking forward to a reelection two years hence—and he will be linked meantime to the ruling few by some thread, or some chain.

"Now, suppose a majority of the present deputies reelected: they would be worse next session than they have been this. Their blunderings would lead to other blunderings, and our friend Toreno's 'principle of stability' (that's the secret; and did you see that he made no account of any of your objections, but that *one*, in which he saw—self-concernment?) would be the stability of sinister interest—of interests of the privileged few, as against the unprotected many.

"But how (you say) is the honest Deputy to be rewarded—the dishonest punished? Matter of reward enough—and of punishment too, the people have in their power. A sheet of paper, like this, with a thousand—ten thousand, approving names to it; would not *that* be a reward? A letter, such a one as was written at Lisbon on the 24th of April, would not *that* be an encouragement?—and reprobation does not want its varieties.

"Now, is the knowledge of the *Tactique* of public assemblies of higher importance than the security of *moral* aptitude? What do our men learn at St Stephen's? The sound of their cat-call! Nothing more, that I see. Need a man be a member of the House of Commons, to be a wise and honest legislator? I know a place—not the House of Commons, but not far from it, which would be a better school; and were I a priest, or an inquisitor, I would extort from you the confession, that had you passed your life among those whose *trade* is law-making, you would not have understood the art and mystery so well as you do.

"Yet more: I look over the lists here, and if there are any, better than the

rest, they are those who sit for the first time. Is it not too, something to send every year back among the many—those who know the wicked tricks of the few—to spread through society some hundreds of individuals, capable of scattering the *wisdom* or the *virtue* they have learnt among the few? Should not every one of them be a most desirable check on the one hand, and a most desirable encouragement on the other—for the man who should follow him, and for all the rest?”

I had the satisfaction, by these and other arguments, of convincing Bentham. He agreed, that the non-reeligibility clause was wisely devised; but to give to deliberative assemblies the advantages of continual and acquired experience, he proposed, that a Continuation Committee should be left at the end of a Session, to carry on the work of Legislation into the Session that followed it.

NOTES IN BENTHAM'S MEMORANDUM-BOOK,
1821.

“Pride and power are sorry companions: pride and weakness still worse.”

“The title of *Chevalier sans peur* and *sans reproche* has been given by the French to their countryman, the Chevalier Bayard. The title of Statesman *sans peur* and *sans reproche*, remains as yet unoccupied. My hope is, that at my death I may be found to be not altogether without a claim to it.”

“Avoid conceiving and expressing useless resentment.”

“If suspicion and accusation of bad conduct attach to you in a determinate shape; in so far as it is in your power to disprove it, do not fly into a passion, but give disproofs: to fly into a passion is a guilty man's sole, and, therefore, natural resource: disproofs are the only means of distinguishing your case from that of a guilty man.”

“When you observe marks of stupidity, beware of asperity in your observations. Only so far as negligence is the cause, can they be of any use. Suppose negligence out of the question, the effect of any asperity is to give purely useless pain, and to excite resentment

towards yourself on the score of injustice and cruelty.”

“*Duelling*.—The man who values himself on his personal courage, independently of the application made of it, values himself on that which is possessed in a higher degree by a dog, especially when he is mad.”

“Liberty of conscience, liberty of the press, liberty of opinion at large—all these are in one place or another established. The last that remains to be established, and which yet, in its whole extent, is scarcely so much as advocated, is liberty of *taste*.”

“*Solitary Confinement*.—To think that by vacancy of mind mental improvement can be assured! It is by well filling it, not by leaving it unfilled, that I (in Panopticon) should have operated.”

“Delusion representing benevolent beneficence as an attribute of power and wealth. Whatever little good the man of wealth and power does, or suffers to be done, is attributed to himself: whatever evil, is attributed to his agents.”

“*Packed Juries*.—From a jury of corruptionists, what justice can be expected in favour of a denouncer of corruption?”

“Condolencies, as well as mournings, are bad things. Men, and more especially women, give actual increase to their grief while, under the notion of duty and even of merit, they make display of it. If all mournings were altogether out of use, a vast mass of suffering would be prevented from coming into existence. Some savage or barbarous nations make merry at funerals. They are wiser in this respect than polished ones.

“Instead of offering condolence to your friend, if you cannot persuade him to take any amusement, contrive that business shall in some shape or other make an irresistible demand on his attention.”

“Wondered formerly by J. B., why governments could not join in reducing their military establishments? Wonder now no longer: they are kept up against

—not one another, so much as against the people.”

“How absurd to ascribe superhuman virtues to a monarch to whom the law has left no motives to ordinary human virtues!”

“*Constitutional Law*.—Corruptionists and place-hunters favour the hypothesis of the two species of minds—the black and the white; and of the existence or *denouement* on the part of the white for the convenience of ultra eulogizing those partisans of theirs from whom they have expectations. So likewise the system of balance of power in the Constitutional system; that, in addition to the power of the people, by whom no overpaid places will be tolerated, much less any needless or useless places or sinecures, there may be a king to bestow all these good things, and a set of lords to support him in doing so.”

“Every act of support to a constitution, in which corruption is the instrument of Government, is an act of accessoryship to every instance of obsequiousness to corruptive influence.”

“Abstain from imagining possible evils not preventible. Example—by anticipating diseases—stone—blindness, &c. So when preventible, after the means of prevention have been settled.”

“1822.”

“The appetite for power increases with the exercise of it: every exercise produces resistance: every act of resistance applies a fresh stimulus.”

“On first entrance into the possession of power, a man can scarcely suspect to what a pitch his appetite for it will swell.”

“Nations are bandied from foot to foot, like balls, for the sport of monarchs.”

“Civil Code should give no power of restricting enjoyment of persons *in esse*, for the sake of persons not *in esse*: no tyranny of the dead over the living.”

“Has human life more in it of pain than of pleasure? By no means. Why? For this plain reason: because it is in so high a degree in our power to embrace pleasure, and to keep pain at a distance.

“On this point several philosophers

have fallen into a notion—a conception happily as erroneous as it is melancholy. Locke, for example, takes for the cause of everything that we do *uneasiness*: uneasiness is a modification of pain—of suffering. If this were correct, the state of every man would be, at all times, a state of uneasiness, of pain, of suffering.

“Maupertuis, in the outset of an essay of his, has fallen into the same erroneous mode of expression, and thence as it should seem of conception. This expression, conveyed in the form of a definition, is not now remembered, except that it is still more determinate, and thence more decidedly erroneous and melancholy.

“A man who is in the actual enjoyment of one pleasure, may be thinking, at the same time, of a thousand others, receiving from each of them the pleasure of an expectation.”

“John Hunt—The tried, undaunted, persevering, intelligent, and upright defender of the people’s liberties, at his post of honour, the Coldbath Fields prison. From Jeremy Bentham, 14th May, 1822.”

“If you wish a man to do a thing, to save him the pain of a refusal, put it to him as slightly as may be. *Perhaps* you will do so and so.”

“Complication is the nursery of fraud.”

“Intemperate language is strife upon paper.”

“Algebra, as distinguished from arithmetic, is nothing more than a particular mode of giving conciseness and compactness to expression.”

“Scorn should be repaid with scorn: oppression with resistance: sham-rulers should receive sham-obedience.”

“In exemplification of the prodigious utility of general urbanity to self-regarding interest, *bring* to view Eldon, Sidmouth, Castlereagh, Canning, &c. Urbanity does what Scripture says is done by *charity*. By this virtue on the small scale, vice in its most mischievous and efficient forms on the largest scale, to

what a degree may it not be *covered* from opprobrium!"

"A circumstance that increases the ratio of the power of punishment to that of reward is the man's less sensibility to pleasure than pain.

"A circumstance that diminishes it is the greater latitude a man has in respect of the application: the less the responsibility: for every man who has it may scatter it almost at pleasure."

"If you find a man out in any design against you that he would be ashamed of, act accordingly: but do not let him know of your discovery; for, the more ashamed he is, the more intensely will he be your enemy.

"If, while contriving for his own advantage, a scheme by which you would not be benefited, but more injured, he tells you your benefit is the only object he has in view: contradict him not, but thank him."

"Extra ornaments of the soldiery belong to the toy-shop, kept up for the amusement of the great baby, whose cradle is on the pinnacle of power, and who is, of necessity, always a spoiled child.

"They form part of the capital stock composed of the instruments of corruption and delusive influence."

"For sanction of their murder, the Manchester murderers had *power*: but so has every other murderer had, or the murder he committed would not have been committed.

"The sinecure depredator has power to commit his depredations: but so has every highwayman had, who has ever taken a purse, or he would not have taken it."

"If, in conversing with a man, you find him imbued with opinions which to you seem mischievously erroneous, if there be a probability of converting him, make the attempt, giving him as little uneasiness as may be. But if there be no such probability, do no such thing: as where there is no probability of your seeing him often enough. You wound his feelings, and you draw upon yourself his displeasure."

"General observations should not

precede the simple or particular statements of which they are the inference. Having the particular already in his own mind, the writer is apt to forget that this is not the case with his readers, and thus falls into obscurity.

"Exceptions—When the general observations are already familiar to most readers: and these are not among the novelties a man means to teach, but among the *concessa* which he brings forward for the purpose of procuring reception for the novelties."

"Compared with that of which the seat is in the highest places, the most flagrant depravity, which has seat in the lowest places, sinks into insignificance."

"Customariness is, to the unthinking, conclusive evidence of aptitude: under a corrupt government it is quite the reverse."

"If it be through the happiness of another, or others, in whatsoever number, that man pursues his own happiness, still the direct, and immediate, and nearest object of pursuit is not the less his own happiness: the happiness of others is but a means to that relatively universal end."

"For forms of Government let fools contest:
That which is best administered is best."

"One of the most foolish couplets that was ever written—if written with knowledge; for Pope was merely the satellite of Bolingbroke."

Bentham's services to humanity, in distributing the seeds of useful and beautiful plants, have already been mentioned. He took some pains to get the Mangel root introduced into Norway. In a letter to Mr Sibbald (9th January, 1822) he says:—

"Norway is a country that, by various ties, has of late taken possession of my sympathy. On reading your letter, considering the climate of Labrador, and the facilities which, according to your account, the plant has of enduring severe frost, it has occurred to me that if Norway could be put in possession of it, the plant might, to that cold and poor country, be a most important blessing. It

might be—but it belongs much rather to you than to me, to say whether it might or might not be to Norway, what the potato is to Ireland.”

It was an invariable injunction laid on his travelling friends to send home the seeds of all esculent vegetables which fell in their way; and he was never happier than when planning the best means for their advantageous distribution.

BENTHAM TO HENRY BROUGHAM.

“13th May, 1822.

“Get together a gang, and bring them to the Hermitage, to devour such eatables and drinkables as are to be found in it.

“I. From Honourable House:—

- “1. Brougham, Henry.
- “2. Denman.
- “3. Hume, Joseph.
- “4. Mackintosh, James.
- “5. Ricardo, David.

“II. From Lincoln’s Inn Fields:—

- “6. Whishaw, James.

“III. From India House:—

- “7. Mill, James.

“Hour of attack, half after six.

“Hour of commencement of plunderage, seven.

“Hour of expulsion, with the aid of the adjacent Police-office if necessary, quarter before eleven.

“Day of attack to be determined by Universal Suffrage.

“N.B.—To be performed with advantage, all plunderage must be regulated.

“Witness matchless Constitution.”

BENTHAM TO RICHARD RUSH.

“Q. S. P., Westminster,

“Oct. 9, 1822.

“SIR,—That just resentment which could not fail to be excited, has been excited by this attempt to tyrannize. On one condition alone forgiveness may be hoped for. From Saturday to Thursday you are disengaged: you cannot deny it: name any one of those days. Of that which could be said in Baker Street, there is not anything that cannot as well

be said at Q. S. P. You are a very bombardinian, and want to see the world pulverized into chaos, which you know would be the infallible consequence of my breaking that vow which you have thus been endeavouring to make me break. I have lately refused two of your brother diplomatists: they would neither of them have had the audacity to make such a proposal, had they known half as much of me as you do. Is it that any acquaintance of yours has that idle curiosity which some people have, who, when they hear said of a man that he has something out of the way about him, feel an itch to look at him? If so, the proposal is not only tyrannical, but insidious. The honest way would have been to have offered sixpence. I could produce those who would give a shilling, provided a dinner was to be had into the bargain, which, indeed, would be a condition implied. If there is really anything of this sort in the wind, I am ready to hear anything you may have to say to me on the subject. As for you, you have no vow to plead, nor so much as a habit; refusal on your part would be not only without justification, but without excuse. I have really several things which I could wish to say to you, and hear from you, provided always that so just a resentment as mine can so far be mastered.

“I am not quite sure whether it was from you or from Mr Adam Smith that, several months ago, I received a copy of the New York Constitution printed on one side of half a sheet of a newspaper. That Europe might have the benefit of it, I gave it to the Editor of the *Morning Chronicle*, who promised insertion, which he has never given it. At present, now that I have a pressing need for it, the rascal says he cannot find it. Could love, money, or crime obtain the loan of another copy for a time to be limited? I would give bond for its never being, during any part of the time, physically speaking, out of my reach.

“Six has never been my hour, but it shall be now, since you have ramed it. You are, therefore, now completely nailed.

“Dear 7 r,—You see what one of

my naughty boys has been scribbling, as if from me, while I was washing. Come any one of the days you and he have mentioned, and you shall hear me disavow whatsoever requires to be disavowed.—Being ever most truly yours.”

In October, 1822, I was arrested by the French government. Bentham immediately addressed Mr Canning, and obtained his instant intervention in my favour. I am persuaded he felt more distress from my imprisonment than I experienced myself. On my release, he seized me, and pressing me several times to his bosom—“As the hart panteth for the water brooks, so panted my heart for thee, my son!”

Bentham wrote in 1822, of Lord Eldon:—

“It was reserved for these days to produce a man who, being at the head of what is called justice, could sit in quiet, and make a speech to any such effect as this:—‘For the office which I occupy, my inaptitude is complete: it has ever been so: I, notwithstanding, climbed into it: remove me out of it who can.’”

BENTHAM TO HIS BROTHER, SIR SAMUEL.

“January, 10, 1823.

“You have your gimcracks, now for one of mine. Mirza Mohammed Khan, a young Persian not thirty, him I want to come in contact with, and, in the meantime, that you should. What I have heard concerning him, I have just heard from Hassuna D’Ghies, ambassador at this court from Tripoli.* You would be as jealous as a dragon, if you knew half the esteem and affection I have for this young man, of whom I have been making a study for these five or six months.

“Mohammed, a most intimate friend of his, is a real object of compassion, and, by favour of Providence, capable of being in various ways made of essential use. His uncle, whose property he has inherited, was a man of opulence of the mercantile class, who had accounts

to settle with the despot of Persia. Upon his death, the despot seized hold of this young man, and, by the most horrible tortures, extracted from him a sum of £70,000. The remains of his property have, however, been sufficient to place him in a state of opulence. The uncle had had large dealings with British India. £2,400 a-year, which he has in the funds of that country, constitute but a part of it.

“Somehow or other he got out of Persia, and has for some time resided at Bordeaux, under the protection of the English Consul there, to whose care any letters must be addressed. He is a young man of a most amiable disposition, and, for that country, cultivated mind; but from the sufferings he underwent in his torturings, his mind is not yet recovered. His desire had been to come and settle in this country; but was terrified from it by our bugbear the Alien Act, fearing that our people here would give him up to the tyrant. Against this I have assured our friend, they neither would nor could do any such thing: they could compel him to quit the country, but the place he went to would be of his own choice. My friend and I are very desirous of having him here. A considerable part of his fortune he would be glad to devote to the service of mankind.”

When the Greek Revolution broke out, Bentham wrote to Dr Parr, of date the 17th February:—

BENTHAM TO DR PARR.

“WORTHY FRIEND OF OLDEN TIME,—Can you sing, *Ille ego qui quondam*? Can you sing it in Greek. I want a little batch of good Greek for a useful purpose; and if not in your bakehouse, in what other can it be looked for with any reasonable hope? In the days of your youth, you received instruction from Greece in no small quantity. Lo! I will put you in the way to make some return for it. On the 13th–25th of January twelvemonth, the Greeks promulgated at Epidaurus, under the name of *Organic*, a temporary Constitutional Code: a French translation I have before me. It is in a work of M. C. D.

* For a notice of D’Ghies, see Works, vol. viii. p. 555.

Raffenel, intituled, '*Histoire des évènements de la Grèce*,' pages from 429 to 440. An accredited agent sent from that country to this, writes to me a letter, desiring my observations on that Code, together with any other such assistance, in the way of legislation, as I may be disposed to give to them. In a preface to his edition of Aristotle's Politics—a copy of which he sent me, forming the thirteenth volume of his *Ellenic Bibliotheca*, Paris, 1821—Doctor Corai, a renowned literary leader of the Greeks, a sojourner in Paris for the last thirty years, recommends it to his country to translate the works of Bentham, in preference to all others, on Legislation. Having other intelligent disciples in that country, I have some reason to think something in that way has for some time been going on.

"In a case such as this, there is always no small danger of suppression. If they find it suit their personal views, the ruling few, who apply to you for your ideas, give publicity to them; if not, they stifle them. I give the man in question to understand, that, in the present instance, if I do anything for them, this must not, shall not be. I require from him the assurance, that in his opinion, whether it happens to suit their views or not, if I send them anything, they will give fair publicity to it: at any rate, that they will oppose no obstruction to the divulgation of it; and that he will employ such influence as he possesses in the endeavour to secure this treatment to it. I give him at the same time to understand, that our correspondence on this subject is destined for publication; and that to do what depends upon myself towards securing my farthing candle from being kept under the bushel till the time for its being of use is at an end, I shall light up a gas-light from it in this country, and send it off to Greece, where it shall render itself visible to all eyes.

"Being but a bad scholar in Rhetoric, when I get into a metaphor, or an allegory, I get into a scrape. the sooner I am out of it the better. It is high time for me to return to my theme, and prefer in plain English my petition for

some good Greek. If I go on as I have already begun, I shall, in no long time, and no large space, give them, in addition to observations on this their Constitutional Code or Proposed Code, a ditto of my own, with Reasons for every Article and distinguishable part of an Article: the whole as much compressed as possible. If they come up to my terms, as above, I shall finish, or at least endeavour to finish, what, in a very few days, I have already made very considerable progress in, and in the original English, print and publish it here. Moreover, if you will furnish me with a correspondent portion of Parrian Greek to put by the side of it, English and Greek shall be printed column-wise, and thus we will descend to posterity together, hand-in-hand, cheek-by-jowl, till old Time is tired of carrying us.

"My good fortune has just now brought me a disciple, able, I have every reason to believe, as well as willing—willing to a degree of enthusiasm—to do what is requisite to the completing for the press those papers of mine on the Rationale of Evidence, of the fragment of which, containing the first 140 pages, you have had a copy, I believe, almost ever since it was printed. It had in those days the good fortune to find favour in your sight: should that same favour, or any moderate portion of it, abide still, this will be not unacceptable news to you.

"A third edition of my Fragment on Government, (for a second was printed in Dublin in the days of piracy,) is to come out (so the bookseller informs me) in the course of this week: *Item*, a second edition of my Introduction to Morals and Legislation: this last, not in one volume 4to, as before, but in two volumes 8vo, in which is a portrait which they made me sit for. It seems well engraved: I have seen it; and people say it is like. Both these are booksellers' jobs of their own proposal. I get nothing: I lose nothing: I desire nothing better; and so everybody's satisfied.

"The first of March, or the first of April, comes out a number of the *European Magazine*, with another portrait

of me by another hand.* Considerable expectations are entertained of this likewise. When you see a copy of a print of 'the House of Lords at the time of the Queen's Trial,' in hand by Bowyer, and expected to come out in a month or two, you will, if Bowyer does not deceive me, see the phiz of your old friend among the spectators: and these, how small soever elsewhere, will, in this print, forasmuch as their station is in the foreground, be greater than Lords. Oddly enough made up the group will be. Before me, he had got an old acquaintance of mine of former days, Sir Humphrey Davy. He and I might have stood arm-in-arm; but then came the servile poet and novelist, Sir Walter Scott: and then the ultra-servile sack guzzler, Southey. Next to him, the old Radical—what an assortment! But this wholesale print manufacturer is famed, I understand, for the sort of knowledge, called knowledge of the world. His object was, to get something to meet everybody's taste. No fewer than five times, within little more than a year, have I been plagued with people, to waste in this way, so many portions of the scanty remnant of a time, which, if employed to any good, would otherwise have been employed to a so-much-better purpose. At first, I was wise and negative: I entered upon the career of folly; and, by some means or other, was led on, step by step, to the point just mentioned: the two attempts which cost me most time, I considered as having failed. When I rose up to walk and preach this letter, could I have thought that the preachment would have drawled on to so enormous a length? If I could, I should have assuredly spared by much the largest portion of your time, as well as my own, and not kept codification so long at a stand, by it. But I have an excuse in a cough and cold, which has kept me in a state of confinement for these ten days or a fortnight, and which, producing comparative indolence, renders

the labour of the hand fatiguing to me. In the midst of all this labour, or rather by means of it, I am full as gay as ever I was: more so, I believe, than when you first saw me in I know not what ill-directed attempt to be fine, and accused me, in your own mind, (I dare say not without sufficient ground,) of coxcombry. May this effusion find you impregnated with equal and corresponding gaiety. But, whatever you write—and I flatter myself you will not leave all this gossip completely unanswered—employ some hand other than your own, if your wish be, that it be read by anybody: otherwise, what you write, might as well be in the language of the moon, as in that which to you seems English. A luminary such as you, cannot but be surrounded by satellites in abundance: one you may have for English: the same, or another, for Greek. Do by me as you have been done by; and what you write, will be no less easy to read, than worthy of being read.

"I thought to have enclosed for your amusement, a single sheet, containing a printed copy of a poem in modern Greek, and, alas! in rhyme, on the Greek insurrection. I have looked for it where it used to be, and lo! it has vanished.

"I have just learnt that the Greek agent expects to set out on his return on Monday next. You see, therefore, how important it is that I should have an answer from you as soon as possible."

DR PARR TO BENTHAM.

"*Hatton, February 20th, 1823.*

"DEAR AND EXCELLENT MR BENTHAM,—The wisdom of your preachment, and its importance, would have been more than ample compensation for what you call the length: and I shall apply to it a very pertinent line.

"*'Non sunt longa quibus nihil est quod demere possis.'*

You sent the first part of the Law of Evidence. I declare to you that I seem to hear my own voice. I have told Denman that I never learned any principles from Gilbert, or from the much better book of Philips. Your book will tell me what no other man

* The *European Magazine*, of April 1823, contains a short memoir of Bentham; accompanied with a portrait. The portrait is not a successful one. That by Pickersgill, of all the pictures painted, is incomparably the best. It is distinguished, indeed, by every sort of excellence. Of busts of Bentham, that by David of Angers is admirable.

yet knows, and what ought to be known by every man of virtue and reflection. I hope the Fragment on Government is to be enlarged. I shall get your Introduction to Morals and Legislation. I must look after a portrait. I shall laugh heartily to see your figure in the neighbourhood of those reptiles, Walter Scott and Southey. You have acted with great discretion and great dignity in your negotiations. Most assuredly your works will find their way through Europe, and most assuredly impostors and tyrants will feel the effects of them. Dr Corai is a scholar of the highest class: I have two of his works, which I read with great delight. His sagacity is worthy of his erudition, and his authority is very great among all men of letters. Give yourself little trouble about the modern Greek verses, they are of little worth in the judgment of scholars.

"But we must encourage all their virtues whatsoever. Mr Bentham, upon jurisprudence your wisdom sets you above all writers, ancient and modern. Your fame will be immortal; and your memory will be followed, not only by the admiration, but the gratitude of all civilized nations and all ages. To my mind you are a sort of apostle, and I almost worship you. Pray let me know the issue of your negotiation. I must have your Codification Circular. I want not only to read, but to study all that falls from your pen. Don't talk of your gas-light. Posterity will say of Jeremiah Bentham, what Lucretius said of Epicurus,—

" 'Qui genus humanum ingenio superavit et omneis
Præstinxit, stellas exortus uti ætherius sol.'

"I have been obliged to dismiss my male amanuensis, and the neighbourhood will supply no successor. My female scribe does pretty well in Latin, when I set the book before her, or when I direct her to make a previous copy of what I dictate orally. But the process is very troublesome to both parties. If you were to offer me a mitre, I could make no progress in Greek; and if I had an auxiliary, I should really be at a loss for topics. Well, you will send

me the original English. Be it so. But my Greek would not recommend your English. Depend upon it, that which you write will soon be translated into French, Spanish, and Portuguese. In two or three years it will find its way to Germany. The difficulty is in finding a *douce* and intelligent disciple, who, without marring your unparalleled good sense, can prepare a translation in modern Greek. Yet, when the fame of your book reaches Greece, the best informed men will be anxious to give it publicity among their countrymen. Mr Bentham, I continue to think and to speak of you with regard, with respect, with admiration, and with confidence, and with thankfulness. Believe me, most sincerely, your friend.

"P.S.—I shall read again and again, and I shall carefully preserve your inestimable letter. God bless you!"

MAJOR CARTWRIGHT TO BENTHAM.

"8th March, 1823.

"JOHN TO JEREMY,—Although thou art so unaccountable a being as to prefer sitting in thine own study, writing for mankind, to attending a political meeting to hear men talk for two or three hours, thou wilt, nevertheless, receive a card of invitation to such a meeting for the 12th; when, if it so please thee, instead of attending the said meeting, to write a few lines that may be useful in forwarding the object in pursuit, why, be it according to thy perverse humour. Thine,

"JOHN."

DR PARR TO BENTHAM.

"March 19, 1823.

"DEAR AND EXCELLENT MR BENTHAM,—I never can write legibly. I am no scribe. I am hardly able to pen. I am wholly unfit for business, or correspondence, from the sudden death of my dearest and most conscientious friend. If I were summoned before a Parliamentary Committee, or standing in the witness-box of a court of justice, or conversing in a private room, I should readily answer any questions about my Prebend. No crime has been perpetrated by the petitioner himself—no

injury is done to individuals—no plunder is committed on public property. I do not know precisely the bearing of Mr Hume's intended motion: it probably will not be pleasing to the generality of Churchmen. But if I understood and approved of it, yet, as an ecclesiastic, I should be unwilling to take any part. I am quite sure, that in the tenure of my Prebend property, he would find little to censure. You cannot, yourself, be a more warm, or a more grateful admirer of Mr Hume, than I am. His diligence, firmness, exactness, and integrity, are most praiseworthy. He truly stands aloof from party connexions. What is it to him, whether he be or be not slighted by the Outs, or slandered by the Ins. He draws after him public esteem, and public praise. But you should advise him to be more correct in detailing minor circumstances. But what right has Brougham to warn him? Have we forgotten his rudeness, when he was concocting such a meritorious plan for the regulation of abuses in schools? Mr Hume is a great public benefactor; and to me it is wonderful, that, with so little help from the Whigs, and so much insult from the Tories, he never gives utterance to contemptuous or virulent language.—I am truly your admirer, and afflicted friend," &c.

EXTRACTS OF A LETTER FROM BENTHAM
TO THE GREEKS.

"November 24, 1823.

"GRECIANS!—Some there are among you who say,—Give yourselves to a king! Give yourselves to a king? Know that, if you do so, you give yourselves to an enemy—to an enemy, and that an irresistible and perpetual, an irresistible and implacable one. Yes—diametrically opposite in everything is his interest to yours: and what worse can be said of the worst enemy? It is your interest to keep, every one of you, the fruits of his own industry for his own use. It would be your king's interest to get from each of you the last penny, to lavish upon his own lusts, his instruments, and his favourites, to

satiate what is insatiable—his own rapacity, and that of his instruments and favourites.

"Be the object what it may, when the will and the power are both in the same hand, the effect takes place. The will, to engross to itself all the objects of human desire, is in every human breast: to the will, a king adds the power: can the consequence be doubtful? He will not take everything from you to-day, seeing that, if he did, when that was gone, there would be nothing for him to take to-morrow. No slaveholder starves his slaves, seeing, that to work, a slave must live. Your king would not take everything from you; but what he would leave to you would be, at all times, as little as possible. It is so everywhere: under the Turks, you were, in no small proportion, free from the presence of an enemy; you paid tribute;—your condition could not be bettered—but it was not made worse. Not a family in which he (a king) will not have a spy. For where the arch-plunderer is a king, where is the family in which there will not be some one looking for a share in the plunder?

"Nay, but, say the Royalists, your betrayers,—our monarch shall be a limited one. Grecians, believe them not. Limited? yes, for a moment; and till the chains, which from the very first moment will be intolerable to him, can be thrown off. Would you see how easily all such chains can be thrown off? Look to Spain: look to Portugal. All monarchs are ready to lend all their hands. Chains imposed in these times on monarchs, are snapped asunder in a moment. Look at Mexico. There started up a new emperor. There, too, there were a few chains for show,—like those which are worn by the hero of a tragedy, light and polished as art can make them: he snapped them as if they had been piecrust: and this comes by oppression and depredation without a bridle and without stint.

"And these securities in the shape of chains, who are they that are to keep them on? A set of expectants, whom he will have, with so many mouths to feed, and all at your expense. To keep them

in subserviency your burden will be doubled: and this is the sort of security you will get,—with your nominal limitations.

“Look to France: look to the great charter: eight years have not elapsed since it was granted, and what is the value of it now?

“In Spain, the fourth part of what the people were made to pay in taxes for the expense of government, was every year devoured by the monarch: thus much was known and avowed: what was secretly added by debts contracted, and secret pillage, was incalculable. Thus stood the matter in 1787: and from that time to that of the hapless Revolution, it grew worse and worse.

“The worst will not come at first. To lull you into acquiescence there must be the outside of security. But though the day cannot be calculated, the worst will come one day, so sure as the bad is submitted to the first day. Power, money, mischievous lustre, vengeance, nothing can a monarch ever get, that does not serve him as an instrument for getting more. The more he wastes, the more thoroughly are all under him corrupted and deluded.

“Waste, corruption, and delusion, go on hand in hand, and increase together, till every thing absorbable is absorbed.

“Now, for what is it that any man can propose to you to put yourselves under an irresistible plunderer, but for the assurance of sharing in the plunder,—but that the plunder may be shared in by himself?

“In England, one lawyer has £23,000 a-year, which he keeps; besides several times as much which he must give, indeed, but which he gives to whom he pleases: and there is a bishop who has as much again. Not long ago, there was a parish priest who, for doing nothing, received £12,000 a-year, and his delight was in driving stage-coaches.

“In a republic, they will tell you, there is no security. No security in a republic? say, rather, no security anywhere else. Look to the Anglo-

American republic: what security, what prosperity, what constantly-increasing prosperity, wasever comparable to theirs? so it has been these forty years; and every year brings a vast increase.

“Of all other governments, the least bad is that of England. Yet, under England, six millions and a half of Irishmen groan in irremediable distress, under unrelenting tyranny. They are kept hungry and naked by priests, and other creatures of monarchy, who fatten on their spoils.

“So sure as you have a king, so sure has the Holy Alliance another member. And what is the Holy Alliance, but an alliance of all kings, against all those who are not kings. Were there no such alliance, remedy, under the most grievous tyranny, would be but too difficult: under the Holy Alliance, all remedy would be impossible. When there was no Holy Alliance, in each State, oppression, though under a monarchy, might, for a time, be more or less mitigated by a revolution in that State. It was so in England in 1688. But now, under the Holy Alliance, there can be no mitigation in revolution in any one State, without a revolution in every other.

“In England, the king is not yet what he is in Spain. But from whence is it that he is not? Is it for want of desire to be so? Ask those whose language is the known creature of his will: the journalists who watch his every thought, and whose daily productions accompany his daily bread to his table.”

The President of the Portuguese Cortes wrote to Bentham, in 1823, a letter full of admiration, requesting he would look through all the articles of the Portuguese Constitution, and suggest any amendments for the consideration of the Assembly. These were days of boundless happiness to Bentham, when, from every side, testimonials of respect and affection were flowing towards him, and when all events seemed concurring in advancing the great interest to which he was devoted.

CHAPTER XXI.

1823—27. *Æt.* 75—79.

Establishment of the *Westminster Review*.—Lord Eldon.—Burdett.—Catholic Association.—Extracts from Note-Book.—Rationale of Reward.—Independence of the Judges.—Humanity to Animals.—Bolivar, and Bentham's Works.—Visit to Paris.—Death of Parr.—President Adams.—Governor Plumer.—Reminiscences.—Del Valle.—American Law.—Sydney Smith.—Conversation, and Notices of Grote, Burke, Junius, North, Fox, Wedderburn, Erskine, Talleyrand, Lansdowne, Dunning, Barré, &c.

IN 1823, the *Westminster Review* was started. The funds were all furnished by Bentham. The editors, for some years, were Mr Southern in the literary, and myself for the political department. It afterwards passed into my hands alone; and next was carried on by me in connexion with Colonel Perronet Thompson. Its appearance excited no small fluttering among the two sections of the aristocracy, which it attacked with equal, though not an indiscriminating ardour. The sale, for some time, was nearly 3000; and as its readers were, to a large extent, among the unopulent and democratic classes, whose access to books is principally by associations of various sorts, the number of its readers was very great. It was the first quarterly organ of the Radical party,—it was, in fact, the first substantial literary proof that there was a Radical party. The Tories hailed it, in a succession of articles in *Blackwood* and elsewhere, as the harbinger and evidence of schism among the Whigs. It was rather the evidence of hearty union and coöperation among a large section of reformers. The *Review* was originally intended to be published by Longman and Co.; but they professed to be alarmed at the Radicalism of its politics, and peremptorily refused to proceed, after some of the articles had been printed. Baldwins became the publishers; but no instance of prosecution against the work ever occurred in the course of its career. Of the *Westminster Review*, Bentham gives this account to one of his correspondents:—

“Now as to the New Review, yeleft the *Westminster Review*, *Quarterly*, No. 1. to come out the first of next year,

1824. What think you of your old antediluvian having, in as great a degree as he could wish, at his disposal, a rival—a professed rival—to the *Edinburgh* and *Quarterly*,—an organ of the Radicals, as the *Edinburgh* is of the Whigs, and the *Quarterly* of the Tories? One-half consecrated to politics and morals, the other half left to literary insignificancies. Longmans' house the joint proprietors. Longmans', the greatest booksellers' house the world ever yet saw. Prospectus, according to their advice, short; printing, and advertising, and publishing, they bear the expense of; of copies, they print of the prospectus 150,000. Over and over again they have said it would and should find its way into every village in the United Kingdom, not to speak of foreign parts. Bowring, editor of the political part. A Cantab of the name of Southern, who has conducted a weekly or monthly publication with considerable reputation, for the flowery part. Of the political part, one constant sub-part will be the “Reviewers reviewed:” this is, and will be, executed by Mill; he commences with the *Edinburgh*, as being the first established quarterly. Number to be printed, either 2000 or 3000; but in addition to these, what think you of stereotypage? Yes, stereotypage there is to be: cost, it is said, no more than one-third more; and, in the event of success, thus will be saved the expense the *Edinburgh* was at in several reprintings. The capital thing is,—the circumstantial evidence this affords of the growth of Radicalism; for with their experience and opportunities of observation, the Longmans would never have

launched into any such expenses without good ground for assurance that Radicalism would either promote, or not prevent the accession of a proportionate number of customers. Bowring's correspondence has produced capital hands from almost every country in Europe, not to speak of America and British India."

BENTHAM TO W. E. LAWRENCE.

"11th November, 1823.

"I have just been ruining myself by two pieces of extravagance: an organ that is to cost £230—is half as large, or twice as large again as the other—goes up to the ceiling, and down to the floor of my workshop, giving birth to an abyss, in which my music stool is lodged; looking like an elephant, or a rhinoceros, and projecting in such sort, that, between that and the book carrocio, there is no getting the dinner-tray on the little table without a battle. Then there is warming apparatus by steam, including bath, in my bedroom; besides my workshop and the room below it—it extends its arms to the library, yea, and to the study; cost upwards of £280, besides carpenter's, plumber's, and bricklayer's work, which, for aught I can be assured of as yet, may cost £100 more: so that I am driving, full gallop, down hill to the workhouse. The pretext for the warming by steam, inconvenience from the burnt air in the former mode: pretext for the organ, impossibility of keeping myself awake after dinner by any other means—consequence, premature sleep, to the prejudice of proper ditto.

"Vertot wrote the *Revolutions of Rome, Portugal, and Sweden*: now come the *Revolutions of the Westminster Review*. Agreement signed. Longman, as he said, had laid out five or six hundred pounds in the advertisement of it; when, lo! he made a sudden stand, and said he would go no further. Longman has half the *Edinburgh*, Constable having the other half. On the sudden, as if by revelation, he saw that the *Westminster* would injure the *Edinburgh*; and, moreover, that being Ra-

dical, it would injure the character of his house. It was, however, no more Radical than from the first he knew it to be. Be this as it may, no further would he go, though contracts, as he knew, were made for contributors for the two first, and the articles for the first already written. After some days of distress, not far from despair, Providence wafted it into the hands of Baldwin; and, all things considered, it is hoped that its chance of success, will, upon the whole, not be lessened by the change. Earlier, however, than the 19th January, out it cannot come. Baldwin says, that an irregular day such as this, with a little variation in the day, is better than the first of the month; because on that day comes a glut of periodicals, and each one is drowned in the glut produced by the rest. True it is, the *Edinburgh* and *Quarterly* are supposed to have suffered by the irregularity; but '*est modus in rebus*.'"

The *Quarterly* review of "*Panopticon*" made one of the grounds of its attack upon the system, that Bentham was "a disappointed man."

Upon this he remarks:—

"Mr B. 'a disappointed man!'—Well, and if he was, would that make the actual penitentiary plan the better, —or the plan it supplanted the worse?"

"'A disappointed man!'—Well does the ground of the assumption, in point of truth, accord with the morality of the mind that would frame and utter it.

"From the asserted disappointment, the intention is, that unhappiness should be inferred. Ah! well it would be for the reviewer, whoever he may be, were it in the nature of such a man to be what the object of his sarcasm is known to be: himself in a state of perpetual and unruffled gaiety,—himself the main-spring of the gaiety which pervades the whole of the little select circle in which he moves.

"You look out for a man whom those, whose creatures you are, or wish to be, have injured. The injury, you hope, has rendered him unhappy: and whether he be so or no, in the hope of rendering

him still more so, knowing, or not knowing to the contrary, you held him up to the world as being so. Looking round, you spy, as you fancy, an injured man: and, under such a government as yours, such men are not rare. Seeing him, as you think, injured, to make the injury sink the deeper, you hold him up to view as an object of merited contempt,—you hold him up to contempt for the suffering you *hope* he has undergone. Yes, *hope*, Quarterly Reviewer! In his mind, to speak in the vulgar language, your patrons have *established a raw*: and to this raw, imaginary as it is, you fancy yourselves applying a lash.

“Such is the morality engendered by the system of corruption: such is the morality taught by the pages of the *Quarterly Review*.”

Many representations were made to Bentham, on the subject of his Indications respecting Lord Eldon, * by his professional friends, entreating him to suppress them,—assuring him, that prosecution and conviction were inevitable. *The Chronicle* (June 18, 1824) called it “the most *daring* production that has ever appeared.” Every argument that timidity and sagacity could suggest, was, however, employed in vain.

In answer to a very flattering letter from his old friend, Admiral Mordvinoff, who writes, that he was habitually accustomed to cite his authority, and to justify his proceedings by it, as President of the Russian State Council for Civil and Ecclesiastical Affairs, Bentham says:—

BENTHAM TO MORDVINOFF.

“I am on the point of completing a Constitutional Code, having for its object the bettering this wicked world, by covering it over with Republics. I send you this notice out of mere magnanimity, that, in your situation of ‘*President pour les Affaires civiles et ecclesiastiques*,’ which it delights me, were it only for the sake of Russia, to

see you filling, you may have time to establish a cordon sanitaire all round your imperial master’s dominions, as many lines deep as your Field Marshal may think sufficient, the men touching one another all the way; all which, however, I tell you in confidence, will be of no avail against the copies which I shall enclose in bombshells, and shoot over their heads. But, my dear friend, how come you to be so cruelly tardy in letting me know of your having received the quantity of stuff I sent you? My hypothesis was either, that you found a use for it in your *peech*, or that you had been sent to Siberia for its having been directed to you.

“This brings me to Speranski, to whom I sent a quantity of the same matter at the same time. He has had, likewise, the barbarity to leave me in the same ignorance. True it is, I never saw him; equally true it is, his sentiments, in regard to my stuff, are known to me by a letter of his to Dumont, which I have in my holy keeping, and which, when I am in a bragging mood, I produce every now and then to some young friends: yours will now be added to it.

“You and he, I rejoice to hear, are in habits, as well as on good terms, which is more than what (as I have read somewhere in a book) all colleagues are, in a government such as yours—not to speak of other governments.

“I forget to which of you it was that I sent, along with my trash, one humble petition, for a copy of what has been officially published in your country in relation to the state of the laws, since the establishment for that purpose was set on foot. I cannot think, but that two such mighty mighty men, as you and he, could contrive, between you, to steal a copy for such a purpose, without much danger of being whipt. Or what, if the magnanimous were magnanimous enough to send me one? I would not return it to him, as I did his ring. I have no use for his rings. I might have many uses for his laws. As to Rosenkampf, he is gone (I hear) to the dogs. He could not (I have a

* Works, vol. v. p. 348.

notion) have been more appropriately disposed of.

"But the abuses he discovered—Speranski, I mean, not Rosenkampf—ay, if one could but see some account of them, that, indeed, would be worth a Jew's eye: not but that, if the sinister profit were all the mischief, I could stake my life upon sending him, in return, an indisputably true statement of some dozen times as much sinister profit, made, though by so much safer and irresistible means, in the same space of time here. Seriously though, I should now absolutely despair, but that here and there, in my Constitutional Code, an arrangement might be found applicable with no less advantage in your monarchy than in my Utopia.

"I am glad to hear your master has turned Philo-Botanist at last. I have myself been one above these sixty years: though, except as above, I cannot afford to receive anything from him, there are some things I can afford to give him. Amongst them I have found four seeds, which I send by Mr Fleury, of the American Cherimoya, a fruit from Peru, said by several, who have eat of it lately, to be the most delicious known. I showed Mr Fleury a plant I have just reared from two seeds of the same parcel: but as to the fruit, there can be little, if any, hopes of our ever seeing it raised in England. Even Petersburg would be better suited, on account of the heat of the summer and the comparative clearness of the sky at all times.

"I send you, by this conveyance, a little Republican squib—*avant courier* of my Code. It may serve to turn into merriment the gravity of one of the councils which have the benefit of your Presidency. I am afraid your master is too serious to laugh at such things. He would be more inclined, perhaps, to write to brother George to stop the publication."

SIR FRANCIS BURDETT TO BENTHAM.

"*Ramsbury Manor, Sept. 18, 1824.*

"MY VERY WORTHY AND APPROVED GOOD MASTER,—I never for a moment forget the reverence due to the wisdom

and virtue I adore. Your immortal part is with me—your works accompany me. I take feed on them in my heart, and am thankful.—I am your, as all the world are, much obliged

"F. B."

BENTHAM TO SIR FRANCIS BURDETT.

"Q. S. P., 23d September, 1824.

"MY DEAR BURDETT,—It is gratifying to me to see you following, for my benefit, the course taken by a Russian wife towards her husband: the rougher he, the smoother she. Yours, however, is but neighbour's fare. The longer I live, the more strongly I feel the necessity of adhering to my old established rule, never to see any person but for some specific purpose—public or private. I look forward with pleasure to occasions more than one, which may, on Parliament proceeding to business, continually afford me the pleasure of taking you by the hand, without violation of the aforesaid, or any other, inviolable rule. You will not easily conceive the delight afforded me t'other day, by the information received through a most invaluable source of military instruction I have lately acquired; to wit, that at this time flogging is nearly abolished, and that it is to you, almost exclusively, that the well-disposed among military men regard that portion of the people as indebted for so prodigious an improvement: moreover, that t'other day you rendered capital service to the cause of the liberty of the press in India. I flatter myself your exertions in that service will not be relaxed: nowhere can there be greater need of them: scarce anywhere better hopes of there being efficient occasions for bringing them forth. Canning seems to have pledged himself to this.

"Not to speak of your light, there is much eloquence in your bushel.—Accept for both, the sincere thanks of, ever yours.

"P.S.—A trifle of mine, a Constitutional Code, which, should it happen to you to reach the year 2828, you will then see in force among all nations, is at the point of completion. An *avant courier* of it, 'Leading Principles,' is gone this

morning to a Greek, to be translated for printing in his language. Not being in print, except in the *Pamphleteer*, I herewith enclose a copy, the omission of which has been delayed since the receipt of yours, by a panic which inquiry at the post-office has just cured me of, to wit, that of ruining you by postage."

Bentham sent, with his subscription to the Catholic Association, the following memorandum:—

J. B. TO THE CATHOLIC ASSOCIATION.

"December 9, 1824.

"For the Catholic Rents. After the example set by the *Examiner*, five pounds from Jeremy Bentham, in the humble and cordial hope, that his oppressed brethren of the Catholic persuasion will neither retaliate persecution by persecution, nor attempt redress by insurrection; but unite with the liberal among Protestants for the attainment of security for all, against depredation and oppression in every shape, by the only practicable means—Parliamentary Reform, in the radical and solely efficient mode."

He had added, but suppressed at my suggestion, the following:—

"True it is, that were extermination the only alternative, sooner by far would he see all Orangemen undergoing that fate, than the same number of Catholics. To a friend of mankind, the oppressed, be they who they may, are the objects of sympathy; the oppressors, consequently, of that antipathy which, in such cases, grows so necessarily out of the sympathy, and which the sympathy can scarcely be altogether cleared of.

"If, between crime and crime, the option were unavoidable, with less horror would he see authors sacrificed than instruments—the oppression-commanding and unpunishable few, than the executing, howsoever unjustifiably executing, multitude.

"But extermination could not have place without being mutual; and the endeavour would fail of doing, by blood, that which, with such comparative ease, might be accomplished without blood.

"Less extensively mischievous, tyrannicide would be less flagitious than pulicide; murder of one, though he were a Secretary of State; or—but imagination must stop here—than murder of a promiscuous multitude of unarmed men, women, and children.

"The best thing is to abstain from all crime: the next best, to abstain from the most mischievous."

The correspondence which took place between Bentham and a very distinguished nobleman, whose name I need not state, has such a *naïveté*, that I feel moved to insert it entire—as amusing, instructive, and characteristic:—

"2, Queen's Square Place, Westminster,
"December 24th, 1824.

"MY LORD,—Having sent just now for the Greek boy —, to the school in which I had suffered him to stay, that the difficulty of conversing with him might be a little lessened; my messenger was informed, I learn, to my no small surprise, that two days ago he was sent from thence to you, and that his return was expected in ten days from that time.

"According to the plan of education I had formed for him, part of every day would have been employed by him in attendance at the lectures of the Mechanics' Institute, under the care of the son of a Taylor, during the Hazlewood holidays,—the Taylor being, at the same time, one of our most efficient and useful statesmen. I leave it to you to say, whether the Taylor's or a Lord's would have been the most useful place for him. It being so perfectly understood by you, that the boy, in pursuance of an offer of mine, accepted by the constituted authorities of Greece, was consigned to my care; and with that understanding, the boy having once been returned by you to me for that purpose; I cannot regard the retaking possession of him without any communication made on the subject to me, than as an expression of contempt towards myself. I certainly should have considered myself as expressing that sort of sentiment to any man, had it been in my nature so to deal with

him, which it is not. I mention this not as an expression of anger, for no such sentiment do I at this moment feel; but simply in the hope of getting the boy back again by the earliest conveyance: for the more richly illuminated with political gas-light the atmosphere is in which he is likely to be kept while under your care, the greater would, in my eyes, be the degree in which he is in danger of being spoiled for the useful course of education, for the purpose of which he was consigned to my care. If the course of contempt begun as above continues, what I propose to myself is, to bring the case before the public, through the medium of the periodical press. For injuries of all sorts, as a means of redress, the eye of the public is an instrument which, happily for the many to which I belong, is at present of some force, and, in the present instance, the nature of the case affords no other. From what I have heard of your political feelings, you are one of the last persons of your rank in life from whom I should have been under the apprehension of any such proceeding; but it brings to my recollection but too plainly an aphorism I remember reading some seventy years ago, at the commencement of the second expedition of Robinson Crusoe—'What is bred in the bone, will never go out of the flesh.' After this *exposé*, should you happen to concur with me in my view of the matter, the only satisfaction I desire consists in the return of your plaything by the first conveyance. My object is, as above, merely to save the boy from being further spoiled by what others call good, but I bad company. But if the lord I am thus obliged to write to is not too far gone in the family complaint, possibly, in the character of a Mentor, a memento from an old man, in whose eye all ranks stand on that footing of equality, on which, in that of the law, they are so falsely pretended to stand, may be not altogether without its use. Where there is no anger, there can be no forgiveness. Apology in words would be so much useless trouble.—I am, my lord, yours plainly and sincerely."

"December 29, 1824.

"SIR,—It was but this morning that I received, under enclosure from my friend Mr Bowring, your letter to me dated the 24th. I, of course, do not lose a single day in acknowledging and answering it, and, as I believe, shall, by a very short statement, be able to convince you, even if our friend Mr Bowring has not done so already, that you have deceived yourself and wronged me, in supposing that any part of my conduct towards the boy —, could have arisen out of any want of respect to you. I had certainly been informed by Mr Bowring, that of the ten boys who were sent over by the Provisional Government of Greece to the Committee, you had offered to take two under your especial care. I afterwards learned, *but not until after I had sent him to the Borough school*, that you had a desire that — should be sent to you after he should have obtained a sufficient knowledge of the English language, to enable him to benefit by your instructions. If I do not now waste words in telling you how glad I felt, that a boy who had been placed under my care by the Committee, and in whom I took a great interest, was likely to receive the advantages of Mr Bentham's tuition and protection, and how little I was disposed to throw any difficulties in the way of an arrangement so fortunate for him, it is because I believe you are as little disposed to accept flattery from any man, as I am to pay it to any. You are misinformed, if you suppose that I should have had either the folly or the ill manners to take him away from the school, if I had been given to understand that he had *yet* been placed under your direction, if I could have thought that my so doing would be interfering with any course of study or discipline that you had laid out for him. Directly the *opposite* was the fact. When I went to the school to ask permission from Mr Crossley the master, to take the boy into the country for a few days at Christmas, I asked the master whether my so doing, would in any way interfere with his plan of education. He distinctly told me, that, during the ten days of the Christmas

holidays, there would be nothing for the boy to do at the school; nor certainly had I the least intimation or guess that you had any object of instruction in view for him during that period, or that it was your intention to send for him, until he should be much further advanced in his knowledge of English. I trust, Sir, (however I may regret the misunderstanding,) that I have by this explanation of *facts*, removed from your mind any impression, that I have been intentionally wanting in due respect and attention to you. I will send the boy on Friday (the day after to-morrow) back to the Borough school. I would send him back *instantly*, but that there are some clothes of his in the wash; and, but for *another* reason, which I own to you is much stronger with me, and which, I trust, you will do justice to: I should be very sorry indeed, if the boy, by perceiving that he was sent from hence *abruptly*, should have the mortification of thinking that any misunderstanding has arisen on his account, or of being obliged to judge in his own mind between two persons,—towards one of whom, I am willing to believe, he feels some affection for having treated him kindly; and towards the other, of whom, I trust, he may hereafter learn to look with gratitude and veneration.

"I owe you some explanation as to the manner in which he has spent his time, during the few days he has been here, and as to the *company*, which you are pleased to assume must be *bad*, because he finds it at my house. I enter into this explanation, not because the terms of your letter are peculiarly calculated to invite it, but because I feel that, to a person of Mr Bentham's age and character, the most becoming reply is one that may show him, that, although born of a class in society subject to his peculiar vituperation, I have still sense and temper enough to notice, not the tone of his letter, but the substance. You are not correct, Sir, in supposing that the boy has been passing his time here in a manner to corrupt him, or to retard his progress in education. I have been reading English to him, and with him, during most of the hours that *he* has

spared from the fair exercise and amusements of his age, or I from the bedside of a sick wife. Thus when you call him my *plaything*, permit me to say, that the imputation you throw out against me, of having taken him only for my own amusement, is as unjust as it is contrary to the good habit of judging favourably of the motives of others. I subjected myself to some expense, and to a good deal of trouble, when I first took him, not for my own amusement, certainly, but because, together with the other boys, he was in want of a home, a protector, and a friend. With regard to *company*, owing to my wife's illness, we have been quite alone here; and as I never have had the good fortune to form any personal acquaintance with you, so I hope that nothing you have heard of me from others, has given you any reason to apply the phrase, '*bad company*,' personally to myself. If R—— had remained till Saturday here, he would have met Mr Agustin Arguelles, whom I *know* that you do not consider *bad company*, from the evidence of some communications made by you to him, when he was at the head of the constitutional government of Spain. I rejoice to find, at the conclusion of your letter, an assurance of your good-will, and a belief expressed that I know the value of a plain downright remonstrance. I hope nothing in the temper of this letter will give you a contrary opinion of me, nor that, in your turn, you will be angry when I take the liberty of saying, that, if I had not known from his writings, and from his friends, that Mr Bentham was one of the kindest and most liberal of mankind, I should not have made the discovery in his first letter to me.—I am, Sir, with unfeigned respect and sincerity, yours.

"To Jeremy Bentham, Esq.

"P. S. I send this under cover to Mr Bowring, and open, having received yours from him in the same way."

The following is Bentham's reply:—

"Queen's Square Place, Westminster,

"December 31, 1824.

"MY DEAR LORD,—I lose not a mo-

ment in making the *amende honourable*: honourable to you, how much soever otherwise it may be to me. My head is all in a flame with the coals of fire you have heaped upon it. You, who know me not, can scarcely have any conception of the delight I feel at the thoughts of the degree in which I have done you injustice, assured as I am of your forgiveness, and acquainted as I now am with the character that assures it to me.

"The case is,—that according to the impression I had received of the facts, the license I gave myself was the only means to the end I had in view. The end not being in my view illaudable, nor the means neither, supposing them the only ones, what you received was the result. If this be neither a justification nor an excuse, no other can I find.

"In respect of the facts, Bowring, among others, was, in some measure, the cause, though an innocent one, of my mistake. The fact is, however, and so I told him, that without his approval, my letter would never have been sent: but what the sly rogue (who knows us both) saw, was that, as sure as a gun, it would bring you and me together, and make us hug one another in our hearts, as close as if we had exchanged a brace of pistol bullets; for never was egg fuller of meat, than that fellow's heart and head are of malice and cunning in such shapes.

"As to *bad company*, what I meant—and I certainly did as good as tell you, was—*company* opposite in character to everything I had ever heard of yours. For, a man situated as you have been—how can he help himself? He cannot, if he would, take himself out of the circle which gave him birth. As to your solitude, instead of it, I had figured to myself a house brimfull of company: of company of that sort, with which, in former days, I got surfeited.

"An apprehension of evil from the boy's stay at your house, is, after all, not dispelled but increased. It is that of his finding himself uncomfortable in such a hermitage as mine, after the experience he has had of your palace. Better might it have been for him and

me, if, instead of his kind preceptor, you had been his Jamaica overseer. —House, I was told, had been to him what the Castle of Udolpho was to Miss—I forget who: he thought he was never to come out of it alive, and, under that apprehension, passed no small part of the time in tears: what the hobgoblins were that frightened him I have not heard. If you had set the current a-running again, it would have been all well: but now I shall have to beat the young rascal for honing after —, and crying to be sent back again to it. Now, if this would not be a symptom of a spoiled child, I would beg of any mother or grandmother to say what stronger one there is, and whether my apprehension is an altogether groundless one.

"Should your kind feelings for the good boy be ever strong enough to throw you voluntarily in the way of the testy old man, gratification will not be wanting to them; but, so long as he continues under my bondage, there must be a great gulph fixed between him and all such seats of seduction as —.

"When our said pupil is a little more familiar with the language, I may, perhaps, unless you forbid me, set him to read this correspondence, of which he is the subject, that he may see how, in well civilized life, quarrels are begun, continued, and ended; but what you would in vain forbid me, is the laying up in lavender your part of it, as a lesson which no adult eye could read without admiration, nor young without improvement. You will now believe, without much difficulty, with how sincere a respect and affection, I am, my dear lord, yours,

"P. S. I began this, as above, at the instant of reading the last word of yours, but my scrawl being illegible except to a practised eye, I could not get a copy within the time left me by Bowring's visit."

FROM BENTHAM'S MEMORANDA, 1824.

"He who has the power of punishment has the power of reward; and he who has the power of reward has the power of punishment; for by either, the other may be procured. Only by reward the power of punishment cannot

be obtained any farther than by subtracting the matter of reward.

"Hence the tyranny of the rich over the poor, exists, in a certain degree, even in the most perfect democracy, *ex gr.* in U. States.

"But equality, in respect of legal power, keeps this tyranny within comparatively narrow bounds.

"Reputation being an instrument by which power is obtained, reputation is capable of being added, as above, to the instruments of tyranny."

"*Felony*,—a word invented at the command of tyranny, by the genius of nonsense."

"*Defamation*,—For imputation of motives there should be no responsibility, punitional or compensational. It would destroy the power of the public-opinion tribunal. Motives are not ascertainable out by circumstantial evidence. Direct denial by the party to whom unapproved motives are attributed, has no properly-probative force: a guilty man will utter it, of course."

"The pleasure of deciding without the trouble of examining, is to everybody's taste."

"Every abuse receives support from every other abuse."

In 1825, the *Rationale of Reward* was published in English. It was fundamentally a translation from Dumont's French edition, with some additions from the author's MSS. The *Rationale of Punishment* was, some years later, (1830,) edited in English by the same gentleman.* An English translation of the *Sophismes Politiques* has already been mentioned; and, in 1825, there also appeared a translation of Dumont's

abridged version of the *Rationale of Evidence*. Thus, four of Bentham's most important works were in the anomalous position of becoming known to his countrymen through translations from a foreign tongue.

BENTHAM TO JOSEPH PARKES.

(Extract.)

"In speaking of our friend Parr—the Parr *qui non habuit nec habebit parem*,—I style him, as duty warns me, arch-venerable; for me, who am his junior by I know not how many years, even me, courtesy of, or rather towards, age, has, for some years—poor, profane layman as I am—rated with archdeacons; in which character I, whom no king would ever hear pray and say, Oh, king, live for ever! say, with more sincerity than is usual in prayer, Oh, Parr, live in one sense for ever! and in the other in such sort as to be more than on a par with the illustrious Parr, and fully upon a par with the still more and most illustrious of long livers, Ephraim Jenkins!"

Bentham addressed to the *Traveller*, then a daily evening paper, afterwards amalgamated with the *Globe*, on the subject of the supposed independence of English judges, this letter:—

"SUPPOSED SACRIFICE OF POWER BY GEORGE THE THIRD—SUPPOSED INDEPENDENCE OF THE JUDGES.

"SIR,—Pardon me—but your wonted sagacity has for a moment been laid asleep by the authority of Blackstone. In your character of the late king, in your paper of the 6th instant, that act of his, whereby he deprived his successor of the faculty of removing any of the twelve Judges, seems to be spoken of as if it were a sacrifice made of personal interest on the altar of public welfare. In itself, the thing, as far as it went, was doubtless good; but as to the *motive*, look again: it was the power of his successor, you will see, that paid all the expense of it: his own, so far from diminution, received great and manifest increase from it. Suppose the power of displacing these functionaries to remain to the successor, observe the

* Mr Richard Smith, of the Stamps and Taxes. He likewise prepared for the press, from the original MSS., the following works, published in the collected edition:—"On the Promulgation of Laws."—"On the Influence of Time and Place in Matters of Legislation."—"Principles of the Civil Code."—"Principles of Penal Law."—"Political Tactics."—"Anarchical Fallacies."—"Principles of International Law."—"Manual of Political Economy."—"Annuity-Note Plan."—"Nomenclography."—"Pannomial Fragments."—"Logical Arrangements."—And "Introduction to the *Rationale of Evidence*."

consequence: as the prospect of a demise of the Crown, from whatever cause, became nearer and nearer, the apprehension of thwarting the will and pleasure of the expected successor would, in those learned breasts, become more and more intense: and in truth, as men die at all ages, while, against all fear of losing their situations these functionaries would have been, as they are, perfectly independent of the monarch in possession, *their* conduct, in case of ill-humour between him and the monarch in expectancy, would always be at the command of the expected successor. I say in case of *ill-humour*: and, such is the nature of man, especially of man in that situation, never has there been a reign, in which there has not been war in that sublunary heaven called a Court, between the person who has had the sweets of royalty between his lips, and the person whose mouth was watering for them. This, in particular, has, and in every instance, been the case in the family of the Guelphs, since they mounted the throne of Britain: and whether this could have been a secret to the son of Frederick prince of Wales, let any one imagine.

"As to independence, on the part of those, or any other functionaries—in a monarchy it is not in the nature of the case to be anything like complete. Yes—as against punishment: no—as against reward: and in this country, who does not know, who does not feel, that the quantity of the matter of reward, at the disposal of the monarch, has no bound to it?

"Such is matchless Constitution! Public functionaries independent of Corruptor-general? Where will you find them? Yes—as against punishment—some:—always remembered that in this number cannot be reckoned any of those who at his pleasure may at any time be turned out to starve. Still, however, some there are who are independent as against punishment; but as against the power of reward, look for them as long as you will, not a single one will you find.

"Judges independent indeed? Yes—if there were no such things as peerages or promotions: yes—if a Judge

had neither friends, relations, nor dependents.

"No, Sir, in the whole catalogue of vulgar errors, not many will you find that are more pernicious than that which is couched in the phrase—*the independence of the Judges*. Woe to the defendant in a political prosecution—woe to a politically obnoxious party in any suit, if the falsity of it be, though but for a moment, out of the eyes of jurors.

"In a word, Sir, under this matchless constitution, he who in any of these, or any other promoted or practising lawyers, looks for anything better than a perpetual obsequious instrument in the hands of the monarch and his ministers, what does he see of that which is passing before his eyes? What does he know of human nature?

"In days of yore, when the state of the constitution afforded an opposition, capable of looking to office not altogether without rationally grounded hope, dependence on one party might produce somewhat of the effect of independence as against another. Thus, while you had a Murray who lay constantly prostrate before the throne, you had a Pratt who could stand sometimes on his legs. But these days are gone for ever. The possibility of their return remains nowhere but in the imagination of the Whigs. "JEREMY BENTHAM."

Bentham considered humanity to animals as a duty, reposing on the same foundations as the claims of man to humanity, only modified by the consideration, that the sum of pain and pleasure involved in the sufferings and enjoyments of brutes, is less in amount than that involved in the sufferings and enjoyments of human beings. He wrote to the editor of the *Morning Chronicle* this letter on the subject:—

TO THE EDITOR OF THE MORNING CHRONICLE.

"March 4th, 1825.

"SIR,—I never have seen, nor ever can see, any objection to the putting of dogs and other inferior animals to pain, in the way of medical experiment, when that experiment has a determinate object, beneficial to mankind, accompanied

with a fair prospect of the accomplishment of it. But I have a decided and insuperable objection to the putting of them to pain without any such view. To my apprehension, every act by which, without prospect of preponderant good, pain is knowingly and willingly produced in any being whatsoever, is an act of cruelty: and, like other bad habits, the more the correspondent habit is indulged in, the stronger it grows, and the more frequently productive of bad fruits. I am unable to comprehend how it should be,—that to him, to whom it is a matter of amusement to see a dog or a horse suffer, it should not be a matter of like amusement to see a man suffer; and seeing, as I do, how much more morality, as well as intelligence, an adult quadruped of those and many other species has in him, than any biped has for months after he has been brought into existence: nor does it appear to me, how it should be, that a person to whom the production of pain, either in the one or the other instance, is a source of amusement, would scruple to give himself that amusement when he could do so under an assurance of impunity.

“To one who is in this way of thinking, you will judge, Sir, whether it be possible to believe that the desire and endeavour to lessen the sum of pain on the part of the species inferior to man, and subject to his dominion, can afford any tolerably grounded presumption of an indifference to human suffering, in the instance of any part of the human species. Judge then, Sir, again, of the surprise and affliction with which, being, as I am, one of the sincerest admirers and most zealous friends of the *Morning Chronicle*, I have for such a length of time been beholding the endeavours so repeatedly and zealously employed in it, to oppose and frustrate, if it be possible, the exertions making in Parliament to repress antisocial propensities, by imposing restraints on the wanton and useless manifestation of them.

“Of these ungracious endeavours, the morality and the logic seem to me pretty equally in unison. Thus persevering in the exertions which the Parliamentary men in question have been, *ergo*, they are

insincere. In sympathy towards the animals inferior to man, *thus* they have been abundant, *ergo*, in sympathy, good will, and good deeds, as towards men, they are deficient. With concern I say it the exertions made in the *Morning Chronicle* to encourage and promote barbarity, have equalled, at least, in ardour and perseveringness, those made in Parliament for the repression of it. By nothing but by fallacies could an argument such as this have been supported. Accordingly, what a tissue of them is that which I have been witnessing. Such a tissue of fallacies, all of them so trite and so transparent; fallacies forming so marked a contrast with the close and genuine reasoning which I have been accustomed to witness with admiration and delight. All this, too, from so powerful and successful a champion of the cause of the people, with the laurels won by the discomfiture of the would-be conqueror of Naboth's vineyard still fresh upon his head. Were it not for that inconsistency which ever has been, and for a long time will continue to be, so unhappily abundant even in the best specimens of the human species,—that such opposite exhibitions should have been made in so short a time, by the same individual, would have been altogether inconceivable.

“In the ardent wish to see a stop put to a warfare, in my own view of it, so much more dangerous to the reputation of the *Morning Chronicle*, than to that of the public men whom it has taken for its objects,—I remain, Sir, your sincere and sorrowing friend,

“J. B.”

BENTHAM TO SIR F. BURDETT.

“Q. S. P., 6th June, 1825.

“Monday.

“MY DEAR BURDETT,—I am all delight at the part you are taking against law abuses. Persevere, and with the hitherto unsuspected facts I shall furnish you with in a few days, it will depend upon you to slay the Dragon of Wantley.

“What you move for to-morrow is a *Report*. But delay in making the *Report* may admit of excuses. Could not

you add to your motion a ditto for the evidence, to be sent in the meantime, without waiting for the Report.

"This evidence could be sent in *instantly*: it being not only already in existence, but already in a lithographed state. What I want, and what I am sure you do, above all things, is—our Bickersteth's evidence.

"I have sent you already my attack on Peel,* in its perfected as well as in its unperfected state. I flatter myself it has not been altogether useless to you.—Yours ever."

SIR F. BURDETT TO BENTHAM.

"9th June, 1825.

"MY EVER REVERED, BELOVED, AND, ON THIS SIDE IDOLATRY, WORSHIPPED MASTER, JEREMY BENTHAM,—With many thanks for your former favour respecting Peel's augmentation-of-corruption bill, I renew them for your last note, which opens to me prospects of public good, never before presented to my mind. You will see that I moved, the other night, for the evidence, not Report, which, without a shadow of reason, was refused. However, it can easily be had, and, after all, is of little importance—for are not the facts notorious?—are not the mischiefs apparent?—and are not the causes equally so? If not, the public have felt, and you have written in vain: but this is not so. The public are looking out, not for unnecessary proofs, but for necessary remedy; and the enlightened portion of the public are pretty well instructed, by your writings, how to obtain it; or rather what the remedy is now. I am thinking that you, and I, and Bickersteth might, during the summer, frame a bill to be moved for at the next meeting of Parliament, that would appear so plain and efficient to the common sense of the country, as to cause a general demand for its adoption. I think our view should embrace the Common Law, as well as Equity Courts; for surely the same principles apply to both; and it is equally necessary in both to take

from lawyers on the bench, and at the bar, all interest in chicanery and delay. Could this be effected, Astræa might once more revisit the earth. If any mortal can accomplish it, you can; and could I be made any way instrumental to it, I should, with perfect satisfaction, sing—'*Nunc dimittis*.'—In every case believe me, sincerely yours," &c.

BENTHAM TO BURDETT.

"12th June, 1825.

"Bravo! bravo! my dear Burdett! Your noble resolutions give me fresh life. Meantime, what you are exciting me to, will, about the time you mention, make its appearance of its own accord: a complete procedure act, in which the nonsensical distinction between law and equity has no place.

"But, so long as the author of all evil, and effectual opposer of all good, is where he is, no good can be hoped for without some preponderant evil along with it."

Bentham visited Paris in 1825. He had been much annoyed with a cutaneous disease, a species of eczema, and was recommended to consult some of the Paris physicians. They suggested the use of hydro-sulphurous baths. His visit gratified him much. He received many attentions from the most distinguished people of the French capital. On one occasion when he entered a court of justice, the whole of the barristers rose to welcome him, and the president seated him at his right hand. He went to Lagrange to visit his old friend Lafayette. Among the gratifying things that occurred at Paris, was a sentence addressed to Bentham by General Foy, in introducing himself: "*Vos mœurs et vos écrits sont peints sur votre visage*." Bentham was absent a month from England, having left on the 19th September, and returned on the 19th October.

Dumont had been engaged, up to 1825, in the translation and arrangement of Bentham's MSS. on "Judicial Organisation," preparatory to the publication of the "Code of Procedure." For years he had been urging Bentham to complete his greater plans, and not to allow

* See "Observations on Mr Secretary Peel's Speech on the Police Magistrates' Salary Raising Bill."—Works, vol. v. p. 328.

himself to be diverted by temporary questions, or objects of minor moment. But it was part of Bentham's nature to be interested in every passing event, and to apply to each his own philosophy. Dumont had less of excitable temperament, and, moreover, was of a less progressive nature. In opinion, he generally lagged behind his master, and clung, as Bentham thought, to Whiggism—or see-sawed between Whiggism and Radicalism. In answer to his inquiries as to the manner in which the “Organization Judiciaire,” should appear, Bentham writes:—

BENTHAM TO DUMONT.

“Queen's Square Place,
“December 9, 1825.

“MY DEAR DUMONT,—Received, a day or two ago, yours of the 29th November. It rejoices me to hear that you agree with me in the propriety of publishing, at two different periods, the work which exists in the present tense, and the work which, as yet, is only in the paulo-post-future tense. As to discordance, make yourself easy on that score. But for the same reason for which you are uneasy at the not having the articles you mention, you would be still more uneasy at not having others, of which, as yet, you cannot have any knowledge. For the present work, you say you will be satisfied with the *generalia*, without having the *details*—those details which constitute the code in *terminis*. But with me, *generalia* and *details* march together; and an alteration in either, may produce a correspondent alteration in the other. On another score, moreover, your letter has afforded me satisfaction. Since I saw you, certain metamorphoses have taken place, which, though to other persons not quite so amusing as Ovid's, will, to you at least, be not less interesting.

“1. * Your Pursuer-general is transformed into the Government-advocate: the Government, though most commonly

on the Pursuer's side is, on various occasions, on the Defender's side.

“2. Your defender of the poor is transformed into an Eleemosynary Advocate; his place is not much, if at all, less frequently on the defendant's, than on the pursuer's side. *Advocate* is, in both cases, more characteristic than *Pursuer* and *Defender*. And the two advocates, like the two kings of Brentford, march together, cheek-by-jowl, smelling at the same nosegay. In some cases, a person who is not poor, may be in a state of relative helplessness—in such a state, that the assistance of a lawyer, who could get nothing by fleecing him, might be of use to him. I know not whether your vocabulary furnishes to your *aumones* a conjugate, that will be therein what our eleemosynary is to our alms. This is your look out. If not, God help you: your helplessness will need his advocacy.

“Last night being Mill's visiting night, I put your letter into his hands. He is in perfect agreement with everything you see here. As to my health, a man is drenching me with corrosive sublimate, hypermuriate of mercury, inside and out. I have already so far profited by it, that itching is no obstruction to sleep, and in the daytime, the imperiousness of the demand for scratching, is considerably mitigated. He was recommended to me as eminent in this particular line, by a man of prime science. At his first visit, he told me he had just dismissed, as cured, three patients, with cases similar to mine: the cure which took longest, not having taken more than six weeks. I have been in his hands much about half that time. You will see how much better this is than spending months in going hundreds of miles to baths.—Yours ever,

“J. B.”

In the year 1826, when Bolivar, who had been a correspondent of Bentham, took to his despotic courses, his tampering with the rights of representation, and his overthrow of the liberty of the press, he prohibited the use of Bentham's writings in the Colombian seminaries of Education. They were,

* The statements which follow refer to differences between the Nomenclature of the Constitutional Code, and that of the Draught for the Organization of the Judicial Establishment in France, in the Works, vol. iv. p. 285 *et seq.*

however, reintroduced into New Granada, under the Presidency of General Santander, on which occasion the following decree was issued (*Gazeta de la Nueva Granada*, Oct. 18, 1835.)

(Translation.)

“*Instruction by Bentham.*

“The General Direction of Public Instruction decided on soliciting the Executive—and did in effect solicit—giving its reasons in a long Report,—that in consequence of the resolutions of the 16th August, 1827, and 12th March, 1828, and availing themselves of the organic law respecting public education in the decree of 3d of October, 1826—‘*That in all universities, colleges, and houses of education, the teaching of the principles of civil and penal legislation, by the works of Jeremy Bentham, should be again suppressed.*’ In consequence of this Report, the Secretary of the Interior has dictated, on the 15th of this month, the following Resolution:—

“‘Having attentively and seriously examined the present report of the General Direction of Public Instruction, the Executive has considered that if, on the one hand, the general principles of universal legislation established and developed by the Jurisconsult, Jeremy Bentham, and especially his Commentator Salas, may give motive to alarm in some fathers of families,—on the other hand, this alarm is mainly attributable to the probable want of a minute and detailed explanation of these principles in the various classes, and the reaction of other matters taught during the course, since every error thence arising, and which may be propagated by a mistaken understanding of the text, is really prejudicial to youth.

“The Executive is not unaware of the facility with which this and other similar sorts of alarm is excited and propagated—such as in the beginning of the revolution and during its course, opposed the abolition of the tribunal called the Holy Office, (Inquisition,) through the teaching of canonical doctrines, which were proscribed under the Spanish Government—that of Ideology, and even those liberal maxims which are now political dogmas; yet, notwithstanding there was no

stop in the advance made for the improvement of the age, and the benefit even of those who had taken alarm, nor was the great work abandoned of reforming and generalizing public instruction by forward steps. Its progress, the effects of time, and other influences, have been calming the public mind, dissipating illusions, and conducting the Republic in harmony with the present state of civilisation, and with that liberty of thought which it has proclaimed alike for the individual and the nation.

“Other reflections occur:—

“1. The law of the 30th of May, of the present year, ordered the integral re-establishment in all its force and vigour, of the organic decree, or general plan of public instruction of 1826, in so far as it was not contrary to the said law—in it the cited work was designated as the text for teaching the principles of legislation: and the Legislature established this, though some fathers of families solicited from the Congress what the Direction now solicits from the Executive.

“2. The Treatises of Bentham, particularly those on Civil and Penal Legislation, admirable for the spirit of analysis with which they are written, and for the profundity and lucidity of their doctrines, cannot but enlighten the mind; and though there is nothing in the said treatises of civil and penal legislation, which, being thoughtfully read and understood, can be prejudicial and alarming, but, on the contrary, useful and consolatory to humanity; fragments, or propositions, isolated from their fundamental principles, and carelessly read by ardent and enthusiastic youth, may lead their irreflective spirit astray. The work circulates freely on all sides—its introduction and circulation neither can nor ought to be prevented; and if it is to be seen and studied by the *alumni* of jurisprudence out of their halls, it is better that it should be so within them, under the direction of professors, whose care it is to explain it and restudy it to advantage.

“3. If any injury could be produced by the said work misleading the ideas of one or another youth, who might understand it amiss, the well-directed study of it will generate exact notions

on the important science of which it treats, and lead to the search of the ground-work of the Legislation of a free people—not in the spirit of imitation and routine, but in reason and nature, the only sources of what is just and right. It is desirable, therefore, that it should be taught and analyzed in the secondary and superior establishments of instruction. The liberty of the press produces defamations and libels—scandals and vengeance; but it is a guarantee against the abuses of power—it is the interpreter of public opinion, which it forms and consolidates—it is the instrument and arena of political debates;—but nobody desires, nor will desire, its suppression on this account.

“4. No work has been provided, according to the directions of the executive decree of 16th August, 1827, on the principles of legislation, to replace that of Bentham in the study of this branch of jurisprudence, which is ordered to be taught by the law of 18th March, 1826, as by that of 30th May, 1835.

“But the executive, in the present case, must conciliate legal arrangements with the interests of the proper education of youth. Its guide must be the law, its object public convenience—being superior to prejudices of every sort,—whose domination and influence are but transitory, and which cannot form a proper ground-work for reasoning. In consequence, and in agreement with the opinion of the Council, it is resolved, that—

“1st, It be communicated to all teachers, (Catedraticos) of the principles of Universal Legislation in the universities, colleges, and houses of instruction in the Republic, under the strictest responsibility and care of execution, that until some other elemental author is designated as a text for the teaching of the said branch, that the article 229 of the Organic Decree of 3d October, 1826, be scrupulously obeyed, explaining the doctrines and propositions of Jeremy Bentham, so that they may not tower over (*sobrepongan*) the Laws which prescribe the teaching of moral and natural right, and which give to revealed religion an especial protection,

(Art. 33 of the Law of 18th March, 1826, 158 of the said decree.) Hence, there must not be taught, nor sustained in public theses, principles opposed to these dispositions—respecting which the central direction will exercise its natural functions.

“2d, The same direction will carefully examine the works, which, in addition to that of Bentham, are cited in the 168th article of the Organic Decree of 1826, or any others on the subjects which, according to that article, are to be taught; and will ascertain if it is possible to adopt any one of them with advantage, as a text for the Course of Principles of Universal Legislation, instead of that of Jeremy Bentham; inasmuch as there has not been edited, nor is it likely there should be edited, in this country, an elemental work perfectly adapted to our religious and political principles.

“3d, The present resolution shall be publicly read, by the different professors in the classes of jurisprudence, in the halls, and in the presence of the students, as soon as it shall be communicated by the superior authority.

“Let it be transcribed in the general direction, and published in the Gazette.

“For His Excellency,
“POMBO, Secy.”

It is curious to see, in this document, the hesitation with which the writings of Bentham are again introduced into the public schools of New Granada; and the embarrassed and circuitous manner in which the prejudices and opposition of the clergy are referred to.

Dr Parr died in 1826. By his will he left a mourning ring to Bentham, “whom,” he says, “I consider the ablest and most instructive writer that ever lived, upon the most difficult and interesting subjects of jurisprudence.”

BENTHAM TO J. QUINCY ADAMS.

“Q. S. P., 19th June, 1826.

“TRIED AND RESPECTED FRIEND,—
At the first visit I had the pleasure to receive from your nephew, J. Adams Smith, after the information of the election of President reached this place, I asked

him if it had happened to him to learn to what cause it had been owing? His look having the effect of a question, the answer was—my *prayers*. Curiosity was now converted into scepticism; but tolerance in perfection being of the number of my principles, I forebore annoying him on that ground. Forgive my saying so, but my delight at the success of the individual was swallowed up, as everybody about me knows, by that produced by the success of the millions.

"I have a demand for some proportion of your sympathy, on the score of the quantity of scrawled paper, which, on some occasion, I had begun, under the notion of troubling you with. Addressed to you, orations more than one there are on my shelves waiting to annoy my executors. As to you, your good genius prevailed in every instance. At present, the application made to me by that truly honest and meritorious citizen, Joseph Hume, the only true representative the people of this country ever had, and one more than, under such a form of government, they have any right to expect to have, could not allow of my being, on the present occasion, thus merciful to you.

"A line will suffice to assure you of the pleasure and pride I feel so often renewed, by the recollections of the assistance so generously afforded to me at your departure. Sometimes tears now flow more than once in the same week. 'The chair you now occupy, for some weeks running was occupied by John Quincy Adams,' is a vaunt which, as often as the occupant presents himself as capable to appreciate the honour done him, I am in use to treat him with.

"These, however, are extremely few. Some to whom I have given admission, have for years been waiting for it: at the age of 78, a man, occupied as I have so long been, and continue to be, has no time to waste.

"At the time I lost you, what I wanted was the encouragement necessary to perseverance. I have for some years been overwhelmed with encouragement: all I want are faculties and time.

"Amongst other aims remains that of founding a little jurisprudential library, for the use of the public, consisting principally, if not entirely, of the laws of the United States. A connexion I have formed spares me the necessity of recurring to the offer you so kindly made me: a bookseller of reputation, recommended to me by a man in whom I have confidence, has undertaken the commission, and is confident of being able to execute it.

"In a Constitutional Code, a Penal Code, and a Procedure Code, I have already made such progress as would enable any one of several persons I have in mind to complete them from my papers, in case of my death before completion.

"On the occasion of the Constitutional Code, it being, throughout, accompanied with a *rationale*, my telescope has undoubtedly had the audacity to turn itself to the sun, and even a few spots in that luminary are supposed to be discovered. If anybody could secure to me its continuance for ever in its present splendour, I would at that hour consent never to meddle with it; but I not being able to find any Insurance office, where any such business can be done, my temerity can find no adequate restraint. When the result of my observation comes to be in print, you will behold in me, if you vouchsafe to look at me, an ultra-democrat—I shall, in you, an ultra-aristocrat,—for in your situation every man is so *par état*: were it not for the sea between us, who knows but you would find me more or less of a troublesome fellow,—as it is, I am, with the truest affection and respect, yours.

"P.S.—If the present opportunity serves, a few of my most recent squibs may accompany this: your kitchen-maid will find them useful. Kiss the hands for me of Madame la Presidente."

Among the inmates of the hermitage, in 1826, was John Neal, an American, who had obtained some reputation by articles in *Blackwood* and other periodicals; and whose strange personal adventures, and

variety of information respecting the United States, interested Bentham, and induced him to invite him to take up a temporary residence in Queen's Square Place. But the rough republican frequently annoyed Bentham by his abruptness and incaution. His mind and manners had not been trained to that gentle and courteous bearing which so peculiarly distinguished Bentham, and to whose absence he could not reconcile himself. Quarrels with Bentham's servants added to the perplexities of his position, yet they parted with mutual, and, no doubt, sincere expressions of good will. Mr Neal has published (attached to Principles of Legislation, translated from Dumont, Boston, 1830) a memoir of Bentham, in which he has been more successful in recording the playful sportiveness of Bentham's conversation in moments when he abandoned himself to unrestrained and unrestrained colloquies—than in drawing a correct portrait of the great qualities of Bentham's mind, and the peculiar force and originality of his character. In one respect, Mr Neal has strangely misrecalled "his master,"—for he represents him as suffering from the dread of death—superstitiously—as Johnson did. Now, on no subject was Bentham more prone to dwell—on none more willing to discourse; I have never known a human being to whom the thought of death had so little in it that was disturbing or disagreeable.

Speaking of John Neal, Bentham said,—

"Neal's 'Brother Jonathan' is really the most execrable stuff that ever fell from mortal pen. No probability—no interest—no character resembling human character. Neal is a nondescript. We have no such being here: he was always cheerful and talkative—and talked on every subject with equal confidence. I might as well have had a rattlesnake in my house as that man."

Mr W. Plumer, junior, the governor of New Hampshire, writes:—

MR PLUMER TO BENTHAM.

"Epping, N. H., Sept. 15, 1826.

"MY DEAR SIR,—Since I wrote you

last, the great subject of the improvement of our laws, and the reform of our judicial establishments, has excited an unusual degree of attention in this country; has elicited much talent in its discussion; and led to the admission, in theory, at least, of many useful truths, some of which have been already reduced to practice, and more may be expected soon to follow. In many of these inquiries, your labours have been noticed, your principles, to a certain extent, adopted; and a disposition manifested to do that justice to your extraordinary merits, to the benevolence of your designs, and the sagacity of your views, which, first or last, must universally prevail. So far as I have borne any part, inconsiderable, indeed, in these transactions, it is hardly necessary for me to assure you, that my object has been to prepare the public mind for the more favourable reception of those great truths which you have so long taught, and will, through your works at least, never cease to teach. They rest for their support upon the deep and broad foundation of public utility; their end is the happiness of mankind; and their importance, as connected with that end, becomes daily more apparent. The clear light of genius, long and steadily thrown upon them, has gone far towards dispelling the darkness with which they were before surrounded: the reformation of our legal system is called for with a voice which cannot long be resisted; and there is little reason to apprehend that the *great reformer* will, in the triumph of his principles, be himself unhonoured and forgotten. I am glad to learn that you are not unacquainted with the labours of Mr Livingston of New Orleans in the field of legislation.* He is a man of real talents, of great industry and perseverance, and of high standing and influence in his country. He has often spoken of you to me in terms of the highest veneration and respect, and informed me, more than once, that his attempts at Codification grew out of what he learnt of your views in the

* Project of a New Penal Code for the State of Louisiana.

works published by Dumont. He considers you as his master in the service: and you could hardly desire a more zealous or more enlightened disciple. If his Codes, (a part of which have already been adopted,) should be found to succeed in Louisiana, other States will be encouraged to take up the subject with still more enlightened views, and under even more favourable circumstances; and we may yet hope to see systems of jurisprudence receiving as great improvements in this country, as we flatter ourselves, systems of government have already received; or rather, looking further into futurity, we may, perhaps, see both reaching a point of excellence never yet attained, and which the philanthropists of former days dared hardly conceive. In anticipation of these happy times, let us all labour, each in his own department, to accelerate their approach, confident that their advent, though slow, is sure; and that the final prevalence of truth is not the less certain, because not at first well received. I remain, Sir, your friend and humble servant."

The inquiry has been often made—"Did Bentham pass through life without being in love—without thoughts or plans of marriage?" The reader will have found an answer in an earlier part of the work. I had put the question to him more than once, and he always fenced it off. One day he put a paper into my hand, and required me to sign it. It was as follows:—

"23d April, 1827.

"I, J. Bo: promise never, during his lifetime, to give anybody to understand that I have heard from him anything relative to matters between him and ———, nor without his leave to put questions relative thereto."

The lady who engaged his affections is still alive, and it becomes me to suppress her name. He met her at Bowood, when she was very young, and he thirty-four. He was struck with that voluntary playfulness which formed so pleasing a contrast to the aristocratic

cal reserve of most of the females whom he met. Bentham was a favourite of Lady Shelburne. The mark of favour by which she distinguished a very few among her many visitors was, admission to her dressing-room. One day when Bentham was sitting playing at the spinette, (the only musical instrument in the house,) a light screen near the instrument was turned over upon him, and a young lady glided away upon feet of feathers. The ladies of the house, in general, were cold and prudish in the extreme. "Lady Shelburne and her sister," said Bentham, "were beauties; but Lady S. had still more dignity than beauty. Dignity was the feminine tone of the family. Lord Shelburne kept a sort of open house, and was frequently intruded on by persons who were unwelcome visitors. One day a family, (the S——'s,) opulent, but coarse-minded country gentry, being there with some others on a visit, and assembled with the household in the drawing-room, Lord Camden, his daughter Elizabeth, Colonel Barré, (Lord Shelburne's right hand man in the House of Commons—No! no! his left hand man, for Dunning was his right hand man,) and Lady Shelburne's sisters, adjourned to Lady S.'s dressing-room, no doubt for the purpose of getting rid of disagreeable company. The dressing-room, as well as her ladyship's bed-room, was on the ground-floor, as indeed were all the drawing-rooms, or quasi-drawing-rooms of the house. Lady Ashburton was there. She played extremely well on the harpsichord, (for harpsichords were then in fashion;) and Miss Pratt, afterwards Lady Elizabeth, sang. I was of the party; and here another act of playfulness occurred. In came Miss ——— with a heavy bunch of keys: she slipped them into my pocket. This gave me a right to retaliate; so I made my way towards her pocket. Barré called out, and cracked his jokes about our meddling with one another's pockets. Of three principal ladies present, two at least were arguses. If I was froward on them, there was no offence; for I had occasion to know, a little before Lady Shelburne's death, with what friendship and

favour she regarded me." How strong the feeling, or the memory of the feeling, with which Bentham thought of the object of his affections, may be gathered from the letter which I shall insert. After the date of that letter, he very often spoke to me on the subject—spoke as if he liked to expatiate on it, and added one day:—"I have grown very garrulous about this to you. One idea suggests another—that a third, and so they go in geometrical progression."

"Q. S. P., April, 1827.

"I am alive: more than two months advanced in my 80th year—more lively than when you presented me, in ceremony, with the flower in the green lane. Since that day, not a single one has passed, (not to speak of nights,) in which you have not engrossed more of my thoughts than I could have wished. Yet, take me for all in all, I am more lively now than then—walking, though only for a few minutes, and for health sake, more briskly than most young men whom you see—not unfrequently running.

"In the enclosed scrap there are a few lines, which I think you will read with pleasure.

"I have still the pianoforte harpsichord, on which you played at Bowood: as an instrument, though no longer useful, it is still curious; as an article of furniture, not unhandsome; as a legacy, will you accept it?

"I have a ring, with some of my snow-white hair in it, and my profile, which everybody says is like. At my death, you will have such another: should you come to want, it will be worth a good sovereign to you.

"You will not, I hope, be ashamed of me.

"The last letter I received from Spanish America, (it was in the present year,) I was styled *Legislador del Mundo*, and petitioned for a Code of Laws. It was from the man to whom that charge was committed by the legislature of his country—Guatemala.

"Every minute of my life has been long counted: and now I am plagued with remorse at the minutes which I have suffered you to steal from me. In

proportion as I am a friend to mankind, (if such I am, as I endeavour to be,) you, if within my reach, would be an enemy.

"I have, for some years past, had a plan for building a harem in my garden, upon the Panopticon principle. The Premiership waits your acceptance; a few years hence, when I am a little more at leisure than at present, will be the time for executing it.

"For these many years I have been invisible to all men, (not to speak of women,) but for special reason. I have lost absolutely all smell; as much as possible all taste, and swarm with petty infirmities. But it seems as if they ensured me against serious ones. I am, still am I gay, eminently so, and 'the cause of gaiety in other men.'

"To read the counterpart of this in your hand, would make a most mischievous addition to my daily dose of bitter sweets—the above-mentioned mixture of pain and pleasure. Oh, what an old fool am I, after all, not to leave off, since I can, till the paper will hold no more. This you have done at sixty, and at half six miles distance. What would you have done present, and at sixteen? Embrace ———: though it is for me, as it is by you, she will not be severe, nor refuse her lips, as to me she did her hand, at a time, perhaps, not yet forgotten by her, any more than by me."

JOSÉ DEL VALLE TO BENTHAM.

(Translation.)

"Guatemala, April 18, 1827.

"The month of March just passed was one of delightful satisfaction to me. In it I received your letter and your books. They well filled my heart with joy. I recognise the affection which dictated the one, and the kindness which remitted the others.

"In my library your works will hold the distinguished station to which the sage instructor of the legislators of the world is entitled. By their influence, I trust a happy revolution will be brought about among all the nations of the earth. You have reared the science upon a fruit-

ful principle—that of universal utility—giving lessons of addition and subtraction—of legislative arithmetic—teaching the calculations of good and evil—to group—to deduct—to obtain balances of pain and pleasure—and to form law with a view to the greatest felicity. And having revolutionized the science of legislation, you will revolutionize legislative codes—so that nations will have laws—not the *opprobrium*, but the honour of reason—laws not the misfortune, but the happiness of man.

“For many a year I have felt that one of the greatest wants of America, of Guatemala, a beautiful portion of America, was the suppression of the Codes of Spain, and the introduction of others, worthy of the instruction of the age, provided by the sages who have perfected the jurisprudential science. Before our just independence, proclaimed the 15th September, 1821, I published various discourses expressing my desire that a code less defective than that of Castela should be prepared, and announcing (even before I had seen your writings) that *the greatest good of the greatest number* was the only true principle of legislation. When the Spanish Constitution was reestablished in 1820, and deputies were elected to the Cortes of Spain, I was the first Alcalde of this *Ayuntamiento*, and wrote the instructions for our representation; and one of the points on which I most strongly insisted, was the necessity of a Legislative Code to remedy the undenied grievances we were suffering from the existing laws. And after our independence, I again returned to the subject. I wrote and published in January, 1822, a discourse, in which I examined, one after another, the Spanish Codes in authority here, showing their manifold defects. When, in 1824, I was a member of the Supreme Executive Power, I called the attention of the National Assembly to an object so worthy of it, and to exhibit more the view of our judicial legislation, I made a statement of the number of writings or representations, acts and decrees, notifications and terms necessary for the decision of a civil action, according to our unhappy system. Afterwards I was

named, in 1825, by the Assembly of this State, Member of the Commission for the formation of a Civil Code. I looked then to you, Señor Bentham, who have been the oracle of those who, in other countries, have had similar functions. You sent me some of your works. They will be the guide of my labours.”

Del Valle then gives a list of 14 pamphlets connected with the politics and history of Guatemala which he sends. He thus concludes:—

“The Paris Society for Elementary Instruction have made me a Corresponding Member—a title more precious in my eye than any which pride or vanity could create. I have written a Memoir on the Indian races, calling their attention to this unhappy portion of mankind.

“To you I shall write by any safe channel. The wise are to me the most illustrious of beings. Merchants may correspond about metallic interests, but the interests of knowledge are far more important.”

I find, under date of 23d June, 1827, these remarks on Kent's Comments on American Law:—

“A very superficial glance suffices to render it unquestionable, that, to the stock of uncertainties inherent in the whole body of English-bred laws, the United States lawyers have already added an immense stock of their own manufacture; and so far from diminishing, it appears to be the learned author's favourite wish and endeavour, to give whatsoever increase may be in his power to the beloved attribute.

“After stating, with approbation, the establishment of the distinction between Common Law and Equity, the author goes on to say,—‘Under the benign influence of an expanded commerce, of enlightened justice, of republican principles, and of sound philosophy, the Common Law has become a code of matured ethics and enlarged civil wisdom, admirably adapted to promote and secure the freedom and happiness of social life.’

“Next page, 322, comes a rhetorical eulogy from Du Ponceau on Jurisdiction.

“A result, eminently desirable, seems

to be, that from the ends of professional practice, and pre-paid judicature, talents such as, in so high a degree, Mr Kent possesses, should be transferred to the ends of justice; and that accordingly, whatsoever means, conducive to that end, should, if need be, by public authority, at the expense of the public, be employed in engaging him so to do.

"For these same ends of justice, it would give me unfeigned pleasure to be able to see, in this work of his, any the smallest spark of regard."

REV. SYDNEY SMITH TO BENTHAM.

"York, June 28, 1827."

DEAR SIR,—I am much flattered by the present you have sent me, and the sentence of commendation you have added. I shall (like a Waterloo medal) consider it as a fresh motive for conducting myself like an honest and respectable man. My line of opinion is a very humble one; but I have consistently pursued it. I am a sincere friend to a church establishment, paid otherwise than by a vexatious tax upon industry; and blush for every act of persecution and intolerance; and I am a sincere friend to the English Constitution, without the least fear of examining its imperfection, and with the strongest disposition to watch over the method in which it is carried into execution by the Government. To improve my legal and political opinions, I read all you write, and feel very great and sincere admiration of your boldness and talents.—I remain, dear Sir, yours faithfully."

I find a document, bearing the date of this period, which, as developing the character of Bentham's mind and habits of composition, appears worthy of preservation:—

LOGIC.—J. B.'s LOGICAL ARRANGEMENTS, EMPLOYED AS INSTRUMENTS IN LEGISLATION; AND LOCUTIONS, EMPLOYED AS INSTRUMENTS IN THE FIELD OF THOUGHT AND ACTION.

June 29, 1827.

1.

1. Constantly actual end of action on the part of every individual at the moment of action, his greatest happiness, according to his view of it at that moment.

2.

2. Constantly proper end of action on the part of every individual at the moment of action, his real greatest happiness from that moment to the end of life. See Deontology private.

3.

3. Constantly proper end of action on the part of every individual considered as trustee for the community, of which he is considered as a member, the greatest happiness of that same community, in so far as depends upon the interest which forms the bond of union between its members.

4.

4. Constantly proper end of action on the part of an individual, having a share in the power of legislation in and for an independent community, termed a political state, the greatest happiness of the greatest number of its members.

5.

5. Next subordinate ends to the all-comprehensive end of Legislation and Government in all its branches, or, say departments—

1. Subsistence.
2. Abundance.
3. Security.
4. Equality.

6.

6. Means for fulfilment of the above-mentioned all-embracing ends on the part of the several functionaries employed in Government, *appropriate aptitude*.

7.

7. Elements, or, say branches of appropriate aptitude—

1. Moral.
2. Intellectual.
3. Active

8.

8. Sub-branches, or, say elements of intellectual aptitude—

1. Cognitive knowledge
2. Judicial judgment.

9.

9. N.B.—Subject-matters to which the divisions and distinctions, No. 7 and 8, are applicable.

1. The agents, or, say actors or operators, whether functionaries or non-functionaries.
2. Their several operations.
3. The several works, or other results produced by them.
4. The several instruments employed by them.

10.

10. *Inaptitude*—modes, or, say features of it, are correspondent and opposite to the several elements, or say branches, of appropriate aptitude, Nos. 7, 8,—which see.

Each feature of *inaptitude* consists in the absence, total or partial, of the correspondent branch of appropriate aptitude.

11.

Efficient causes of intellectual inaptitude in the judicial branch.

1. Primæval, or, say original weakness.
2. Sinister interest.
3. Interest-begotten prejudice.
4. Authority-begotten prejudice.

12.

Efficient causes of human action, operating as sources of pleasures, and exemption from pains—the several sanctions. These are—

1. The physical (the basis of the rest.)
2. The moral.
3. The political.
4. The religious.

For the several pleasures and pains, see Springs-of-action Table. (Vol. i. p. 195.)

13.

Immediate sources of pleasure and exemption from pain, and objects of general desire—elements of prosperity.

1. Money, including money's worth.
2. Power.
3. Reputation—natural, viz., *positively* good, or, say preëminently ditto.
4. Reputation—factitious.

14.

On the part of functionaries, objects of universal desire, thence efficient causes of sinister interest.

1. Money, including money's worth.
2. Power.
3. Reputation—natural, viz., *positively* good, or, say preëminent.
4. Reputation—factitious; efficient causes of it, factitious honour and dignity.
5. Genealogical relationship to individuals, living or dead, invested with factitious honour or dignity.
6. Ease at the expense of duty.
7. Vengeance at the expense of justice.

15.

Ends of procedure.

I. Direct exclusion of

1. Misdecision.
2. Non-decision.

II. Indirect, or, say collateral exclusion of

1. Delay (needless.)
2. Expense (needless.)
3. Vexation (needless.)

16.

"*Preponderant*."—Constant use of this word, as applied to *benefits* in the account, as between *good* and *evil*, under the *greatest happiness system*. Without it, all statements as to good and evil, stand exposed to well-grounded denial.

17.

Proportion.—In the *Rationale of Legislation*, and in the penning of enactments, Bentham, the first writer, by whom this idea has been constantly kept in mind, and held up to view.

Aphorisms Comprehensive and Concise. Instruments of intellectual agency.

Vol. X.

1.

πᾶσα τέχνη καὶ πᾶσα μέθοδος, ὁμοίως δὲ πρᾶξις τε καὶ προαίρεσις, ἀγαθὸν τινος ἐπιδραμεῖ δόξει.—Aristotle's Ethics.—The simple meaning is—No action without a motive.

2.

Nil in intellectu quod non prius in sensu.—Aristotle.—Quere, where?—Developed and applied by Locke.

3.

Fiat experimentum.—Bacon.—Applied by others to Mechanics and Chemistry.

4.

Quodlibet cum quolibet.—Bentham.—Applicable more particularly to Chemistry; but thence to psychological subjects likewise. (See vol. viii. p. 276.)

5.

Association Principle.—Hartley.—The bond of connexion between ideas and language; and between ideas and ideas.

6.

Greatest Happiness Principle.—Priestley.—Applied to every branch of morals in detail, by Bentham: a part of the way previously by Helvetius.*

Aphorisms Comprehensive and Concise.

7.

All-comprehensive mode of division.—Applied continually by Bentham: the germ of it in Porphyrius's *Εἰσαγωγή* to Aristotle's Logic.

8.

Eadem natura eadem nomenclatura.—Bentham.—A specific against obscurity and ambiguity in law language.

Ideis diversis vocabula diversa.—Bentham.—Counter-part to the preceding.

When sleeps injustice, so may justice sleep.—Bentham too; or

Judicature undiscontinued.—Bentham.

Judicatories omnicompetent.—Bentham.

Intercommunity of jurisdiction universal.—Bentham.

On the 12th September, 1827, I went with Mr Bentham to see Mr Hill's establishment at Bruce castle. He examined it in much detail. He saw everything looking orderly, and everybody seeming happy; so he was delighted with all. The old man on coming away wished to give a kiss to his hostess,—“Not before so many witnesses,” said she; “Then you sha’n’t have it,” answered Bentham, laughingly.

We went to dine with the Grotes at Hendon,—a most rare adventure. I forget for how many years he had not dined out of his house. His mind was full of the aberrations of the Spanish and

* But see above, p. 142.

Portuguese revolutionists, who were nearly as busy in checking the expression of public opinion as the despots they had superseded,—“Sad evidence of weakness, or of dishonesty, or both,” said he: “of weakness, in fearing that discussion which would be their best protection: of dishonesty, in repressing the outbreaks of opinion, lest it should go beyond them.”

Of Bentham's style of conversation, and the manner in which he combined instruction with playfulness, I will give a few examples, recording what passed verbatim:—

Scene,—Before going to bed.

“Do you want a valet, in any shape?” He was beginning to undress.

“No! no! no! no!” louder and louder. “I have told you all the shapes in which I want a valet. Go on with your own business.”

“Do you know that Grote got turtle-soup, to honour your visit to-day?”

“It was very well for you,—it was wasted upon me: anything does for me.—I was sorry to see it.—It was a snug little place.”

“And the people so happy in it.”

“Yes! a most happy couple,—very happy, excellent creatures.—Never you mind me.—Go on with your own stuff. (I was reading at his table.)—There is nothing for you to look at. (Bentham generally showed me the work he had been doing in the day.)—Oh, how well I was off at Hendon for society! I was near the farmers' rooms, and heard through the partitions the cheerfulness of the human voice.—Of how many things we talk! Like Cæsar with his four secretaries; but in his time, when writing was so slow, with their angular letters, it was not so difficult. Strange, that running writing should have been discovered so late,—and the Arabic numerals too.—What shocking perplexity in the Roman numerals!—It would have been better if the form had been duodecimal instead of decimal.”

“Why should not all intellectual ideas be communicated by figures,—as musical ideas are by notes, and arithme-

tical by cyphers?—Might there not be a written universal language if not a spoken one?”

“It is too late to talk on the subject now. It is worth serious thought: we will talk of it when we are vibrating in the garden.”

I mentioned the name of some German lawyer who had been calling on me.

“Ah! the Germans can only inquire about things as they were. They are interdicted from inquiring into things as they ought to be.”

Niebuhr's Roman History was discussed. In his boyhood, Bentham would have thought that to prove the fabulousness, or non-existence, of such men as Romulus or Numa, was a poor service done to society. Afterwards he looked on, as public benefactors, all those who dispersed delusions, and made historical truth more clear. He referred to the Cloacæ of Rome, as evidence of the high antiquity of the city, as no doubt they are.

Something connected with the war in Greece, was referred to, and the name of Thrace came on the carpet.

“How angry I was in my boyhood with Xenophon, who, when he escaped from the remote parts of Asia, hired himself to an obscure king of Thrace. It was a sad termination. Hume, in his ‘Essays,’ made some use of Xenophon. He was a cunning fellow: he got the protection of the Church, by letting Church lands at Delphi; and so was respected by all the belligerent powers.”

“When did you first read Herodotus?”

“When I was at Queen's College, Oxford. I took to it of myself—it was not suggested to me by my tutor. I was indebted to him (the tutor) for the Porphyrian Tree, which gave me the foundation of Logical Tactics.* It has been of unspeakable use to me. He

* The system of dividing all subjects of analysis into two numbers, and no more, at each stage of division, maintained by Bentham to be the only truly exhaustive system. See it mentioned repeatedly in his *Chrestomathia* and *Logic*, in vol. viii. The Porphyrian Tree is found in almost all old editions of the *Organon*, attached to Porphyry's Introduction.

gave us the diagram, and made us copy it, melancholy monk as he was. Herodotus amused me, though I read it for the sake of saying I had read it. I read through seventy folio pages in one day. My habit was, when I came to a word that was new to me, to clap it down. Of course the words set down, became fewer and fewer; and it was a great delight to me to read on through 50 pages, without finding a word to set down. Herodotus is very easy. Thucydides was the worst of all. Polybius hard too. I did not read either at school—no prose—nothing but Homer. Herodotus seemed a prodigiously great name—a swelling sounding name.”

“Won’t you take your tea while ’tis hōt, Sīr!” said I, without perceiving I had given the words the cadence of verse; and he retorted—

“I’ll dō ās I like ābōut thāt, Sīr! odd as it may seem to you.”

“Why did you play the tyrant over me the other day?” “How Sīr?”—“You came in and excluded me from conversing with Fonblanque.” “No! I only came because I was summoned.”—“Yes! you were summoned to come, but not summoned to stay. You asked me about being my valet.—I checked your ambition, Sīr! Had you been my valet, I should say to you: The nocturnal valedictory duties are three; or, as Major Cartwright would say; ‘three-fold’: 1st, The winding-up my watch—2d, The depositing of my watch in its proper place; and, 3d, The exudation of the candle from my bedroom. The world would come to an end, if any of these were omitted. There would be a horrible crash! They are together a *trinoda necessitus*.”

“The house was haunted the other night, either by thieves, or wind, or ghosts. There was a great noise. Knocks repeated near the cupboard, where the plate is kept. I thought it was useless for me to disturb myself; and as daylight always drives away the ghosts, and commonly the thieves, I rather wished for day, and it came. What alarmed me the more was, I thought Jack was gone. He surprised me when he came in. I mentioned it to Anne,

who never confesses anything; and therefore I could not learn anything about it.”—“Was there not,” said I, “a report abroad that this was a haunted house?” “No, indeed, Mr B.! no, indeed! do not prejudice this house. It was No. 17 that was haunted, not No. 2; and No. 17 could not be let. Perhaps it was exorcised by the parish priest; for there has been no ghost there for twenty years.”

“Now let me tell you a ghost story!” “No, that shall you not. I have had too much plague with ghost stories. The judgment is sometimes enslaved by the imagination.”

Again:—

Bo.—“Now, let’s to our work. A little auto-biography.”

B.—“No! that sha’n’t you. Biography if you will, but no other ography, and that not now. I really don’t wonder at people quarrelling about opinions, when I feel what wounds a slight difference of pronunciation inflicts. But you must wait. I am always dilating. You are for proceeding to business. I must vibrate about a little.”

Bo.—“Have you seen Merrivale’s book on the Chancery Court?”*

B.—“I like that Merrivale. His book is a sort of half-way house. It will lead the people on. He is against codification in one line, and for it in another. He treats the poor stuff of Lord Redesdale with great gravity.”

Bo.—“The confused state of our laws baffles all foreigners who try to write about them.”

B.—“Dumont could never form any the least conception of our law. He was utterly incapable of doing so: so he avoided the subject as much as he could.”

Bo.—“So much the better, perhaps. It is well that philosophical principles should be disentangled from the intricacy of our law practice. Men will get hold of a sounder legal faith when released from the current creeds.”

B.—“Ay, but the heretics! I should

* Letter to William Courtenay, Esq., on the subject of the Chancery Commission.

have too much trouble in killing all the heretics. I had better kill myself."

Bo.—"Did you ever take interest in the controversy as to the authorship of Junius?"

B.—"I think I heard that Lloyd was spoken of as the author of the Letters; but I never examined the subject. I used to imagine that Burke was the writer. He had motive enough for concealing it during George the Third's lifetime. I met Burke once at Phil. Metcalf's. He gave me great disgust. It was just at the dawn of the French Revolution. I imagined everybody would acknowledge it was desirable that a bridle should be put on despotic power. All that Burke retorted was in a word—'Faction:' and he was very angry at the idea of any bridle being put upon the king. Wyndham was also there. We spoke about *Evidence*. He did not relish my views, nor see that Evidence was but means to be made subordinate to an end,—truth and justice. Metcalf told me that Burke and Wyndham had a project for inviting me to their house. It was never realized. They discovered, perhaps, the train of my thoughts was of too popular a character. When Burke was shown the Panopticon project, he said, 'Yes! there's the keeper,—the spider in his web.' Always imagery; but when Burke wrote the *Annual Register*, he did not mention the Panopticon among the useful suggestions of the day. I was wonderfully taken with his political pamphlets: their eloquence—their dignity—their superiority to others. At that time I was accustomed to contrast Wilkes and Burke, and to think of Wilkes as a dirty, rascally fellow, while Burke was everything that was noble and high-minded."

Bo.—"Did you ever meet Lord North?"

B.—"Yes! once, in a narrow lane, with his daughter. It was when my father sent me a courting on a cock-horse. I was moved to speak to him, and to say, 'Mine is an American horse that eats fruit;' but timidity overcame me, and I said nothing."

Bo.—"And Fox?"

B.—"At one time of my life he was an object of great veneration to me. Several friends wished to establish an intimacy; but there was no special motive for it. He was against Radical reform of the law. He was against codification. He was both shallow and ignorant—a mere party man. He was a member of a chess club with Dr Fordyce. Fox had in him the spirit of gaming and of trickery. In his latter days he became fond of botany, which would have been to me a recommendation and an attraction."

Bo.—"Did you ever see much of Wedderburn?"

B.—"I met Wedderburn at Lind's*—a cold, starched fellow, frigid and proud. He was remarkably taciturn,—would give dinners, and not utter a syllable the whole time. The most tongue-tied, hesitating speech I ever heard in my days was one from him, in the Court of King's Bench: and then he had a silk gown upon his back. He had a fine bass voice. Coldness and caution are common with lawyers. Blackstone was all caution and coldness. Blackstone's status will remain,—his memory will remain,—but his Commentaries will be forgotten."

Bo.—"But they gave birth to the Fragment."

B.—"Was it not odd that Lord Mansfield took no notice of me? He talked of the Fragment in high strains of admiration: but he could not tolerate my popular tendencies. He might have liked my style better than my principles. I saw a letter written by Erskine when he was an officer in the army: it complained of insufficient pay. That letter was characterized by something different from common writing, though it had many defects, of which he afterwards got rid. When the Fragment was published, Erskine sought me out. One of our common acquaintances was O'Byrne, who was afterwards an Irish bishop; but in those days used to dangle about Dr Burton. This O'Byrne I remember driving an iron skewer through the hand of his black servant. Erskine

* Vide supra, p. 59.

I met sometimes at Dr Burton's. He was so shabbily dressed as to be quite remarkable. He was astonished when I told him I did not mean to practise. I remember his calling on me and not finding me at home: he wrote his name with chalk on my door. We met, in 1802, going from Brighton to Dieppe. He did not recognise me, nor I him. He was rattling away about the king, and the books he read; but it was only at Paris that I discovered who my companion was."

Again:—

B.—“(General) Bolivar wrote to me very flattering letters. He said I had reduced matters of legislation to mathematical certainty. I introduced Hall to him when he went to Colombia, and Bolivar made him a colonel.”

“But are you aware that Bolivar has prohibited your writings? Their liberal principles are hostile to his despotic designs.”

B.—“His despotism cannot tolerate the greatest-happiness principle. He must put the judge out of the way before whose tribunal he trembles—and, unhappily, he has power to do so. Buonaparte was in the same state of mind. Talleyrand put into his hand, one afternoon, the *Traité de Legislation*: next morning it was returned to him, and Buonaparte said,—‘*Ah! c’est un ouvrage de génie*’—‘Tis a work of genius;’ but never, as far as I know, did he mention it again: indeed it could not answer his purposes.”

“Had you ever any correspondence with Buonaparte?”

B.—“Not directly!—but when the Code Napoleon was projected, they wrote to me for assistance. Talleyrand always spoke favourably of me. He said of the *Traité*—‘*Ils éclaircira bien des Bibliothèques*.’—‘They will throw much light upon libraries.’ When I went to Paris, he asked me why I had not gone to visit him? I dared not—I was not at home. He is, without exception, the *coldest* character I ever met with.”

Bo.—“How were you first introduced to Lord Lansdowne?”

B.—“It was in 1781. I was living

in my dog-hole in the Temple,—in obscurity, perfect obscurity, when a person entered and said he was Lord Shelburne. He began to laud the *Fragment* most outrageously, and invited me to his house; but my bashfulness and my pride prevented my going there. At last, after many weeks, I went and staid some time. I was a great favourite with the ladies; and Lord Shelburne made several attempts to induce me to marry some member of his family.”

Bo.—“Why did he not bring you into Parliament?”

B.—“He almost promised to do so; and I reproached him for inconsistency towards me—not that he violated a positive understanding, but his conduct, I thought, was insincere. I wrote to him a letter,* and said there were two classes of men, the first, those who would put forward the really great and superior minds who agreed with them in opinion—and those who would only advance the crouching and inferior minds, who pretended to agree: preferring the subserviency of ignorance, to the support of high-minded intelligence, which refused absolute subserviency. He said, that I had written just such a letter as Lord Bacon would have written to the Duke of Buckingham.”

“His two principal men were Dunning and Barré. Dunning had fine talents, but very imperfect information. Barré no knowledge, but the knowledge of party,—he used only the language of party,—he had no desire to see reform or improvement in any shape. He understood nothing of the philosophy of government.”

“I remember a curious *partie quarrré*, consisting of Pitt, his elder brother, another, and myself. They stayed at Bowood some days.—I one day rode out with Pitt, and we talked over Indian affairs. I had just been reading an unpublished pamphlet,—and Bailey (an E. I. Director) said he wondered where I had got so much knowledge,—so much more than he had got. Yet I had only read that pamphlet, and really knew little about it. Pitt was like a great school-boy,—scorning, and sneering,

* See above, p. 229.

and laughing at everything and everybody,—in terms of great insolence and pretence.

"I regretted prodigiously that I did not make a more intimate acquaintance with the Duke of Grafton. He might have been very useful. He was then much influenced by a Unitarian parson, one Roger Williams."

Bentham, as I have mentioned above, suffered much from a cutaneous complaint, the itching of which caused a perpetual irritation. He said to me once, during the annoyance of this visitation, "Do you ever dream?—I dream of a city, the whole of whose inhabitants have no other enjoyments than seeking to free themselves from the suffering which itching occasions.—When I am in good health, I dream that I am a master among disciples."

His gentle and loveable spirit vibrated to every little pleasantry, and responded to it with infinite good humour. One day, talking of his visit to France, in 1802, he said, "You know Brissot had been giving me reputation." "Nay," said I, "Brissot had lost his head." "So! ho! you think you have hooked me. If his head were off *then*, I suppose his head was on once. You are sharp at detecting me; and if you prove, Mr Logician! that he was dead then, will that prove he was not alive before?"

He sometimes feigned to be in a violent rage. I once heard him shout out, "I cannot find the letter. Curses! fury! rage! despair! I am seriously apprehensive I have sent the villain away with the wrong letter!" In all this there was not the slightest real passion; it was intended to make cursing and swearing ridiculous.

When I told him that my mother's father, who was a Church of England divine, would never, had he been living, have consented that his daughter should marry a Dissenter, he said, "So that, if your grandfather had not died before you were born, you never would have been born at all. I owe him hundred-weights of gré for dying."

One day, when he "had been vituperating himself," as he called it, for hav-

ing forgotten something which, after all, he had remembered, he said, "Now must I put on hypothetical sackcloth and ashes."

The wind had blown over the milk-pot. "Oh," said he, "the milk-pot has quarrelled with Æolus, and Æolus has given him a cross-buttock and absolutely overturned him."

When Rivadavia, the Buenos Ayres minister, dined at his table, he (a not uncommon trick of foreigners) spat on the carpet. Up rose Bentham, ran into his bedroom, brought out a certain utensil, and placed it at his visiter's feet, saying, "There, Sir, there—spit there."

When Bentham's peculiar playfulness of conversation assumed an appearance of solemnity, it became irresistible:—

"Do you know Mr A., or Mr B.?"

"Now, I'm in a rage. I could throw you out of the window for asking whether I know this man, or that man; and forcing me to confess that I do *not* know them. Why do you lay traps for exposing my ignorance?"

"Lord E. is very angry at what you said of him."

"He is very angry! Well, a man must not be allowed to do mischief, because he is very angry."

"When Orlando, the Greek Deputy, dined with me, I told him that Homer learnt his Greek at Westminster School. He stared, but did not understand the joke at all. He thought it was even a piece of gross ignorance on my part—ignorance, which politeness required him not to notice—and nothing more."

"I was a boy when I read my uncle Woodward's monument. How little did I dream that I should live to be 80, and be lord of Queen's Square Place! Ay! Lord Queen's Square Place shall be my title. Some have profanely said Queen's Place, which is very wicked."

"I never could swim—I never could whistle. I have no reason to complain. I am stronger now, than I was at the most vigorous period of life. I suffer nothing from sitting up late—nor lying in bed late in the morning."

"I now constantly dream at night, of what I have been occupied during

the day. But everything presents itself in a *delabré* shape; and I have always fancies about my linen being out of order,—of a want of supply, and the impossibility of getting it.

"If a Bentham does not snore, he is not legitimate. My father snored, and my mother snored; and if my nephew does not snore, he is an impostor."

Speaking of the number of men of the legal profession in the Congress of the United States, I said, "The lawyers will *out-talk* the non-lawyers." "Yes," answered he, "but by and by the non-lawyers will *out-vote* the lawyers. They will overturn them with the Book of Fallacies. All their nonsense, is it not written in the Book of Fallacies?"

There was a great drollery and humorous exaggeration in some of Bentham's expressions, particularly when he was vexed. Once I found he had mislaid a paper. "Now," said he, "I am in a state of hypochondriasm and rage. The devil must have conveyed the thing away."

Dr Macculloch annoyed Bentham by a not uncommon trick of opening his pocket-handkerchief wide before his host. "Nay, Doctor, nay! put up that flag of abomination: cure yourself of that filthy, snuffy trick of yours."

"What business has he to say 'Grace'?" He has no 'Grace' at home. From what bishop has he received it?"

I have collected, almost at random, from my multitudinous memoranda, sentences of Bentham's conversation, which, either for their sportiveness, their wisdom—or, in a word, their Benthamic character, appear to me to be worth preserving.

"I have made a list of names which, in English, mean judges, and have found out seventeen already."

"The remedies for evils are often indicated by the character of the evil; but for many there is no remedy."

"What a pleasant feeling it is to have the mastery of a whole subject!—to grasp it in one's arms. And even supposing there were no great advantage in taking all-comprehensiveness, there are some all-comprehensive *words* which are excellent instruments—as

good and evil—the genera generalissima. One gets forward with a firm tread—benefits and burthens—and service correspondent to benefit. These fill the field. Acts, positive and negative; but if you confine yourself to the stock of words commonly in use, you will be in the state of the Chinese. Without new words, you cannot have new ideas to any considerable extent. Newton did almost everything by one new word—'Fluxions'—he introduced a new element—the element of motion. I was at a fault myself when I stumbled upon 'utility:' and this was imperfect till I found 'greatest happiness'* in Priestley, who did not turn it into a system, and who knew nothing of its value. He had not connected with happiness the ideas of pleasure and pain."

The expense of justice was the subject of conversation. "The present cost is intolerable, and wholly unnecessary," he said: "a large part might be wholly suppressed—and another portion should be borne by the public. Punish the *mala fide*—encourage the *bona fide* suitor. Seek the best evidence first,—the evidence of the parties concerned,—the evidence of those who know most about the matter. Minimize by local judicature the charges of obtaining the best evidence: you thus avoid the cost of journey and of demurrage. The Court of Chancery examines defendants in the suits under its jurisdiction. Courts of conscience.—Courts of conscience examine parties as witnesses. These courts are badly constituted, from the unfitness of the Judges, and from their levying fees, which fall especially on the poor, who cannot pay for justice. But in this country, justice is sold, and dearly sold,—and it is denied to him who cannot disburse the price at which it is purchased.

"The expenses of suits should be defrayed by those who are in the wrong. They should fall heavily on those who

* The passage Bentham refers to is in the Essay on Government, 1768, beginning of Section II. See Rutt's Edition, vol. xxii. 13. See a reference to it in vol. xxiv., p. 35-36; with reference to the use of the expression by Beccaria, see above, p. 142.

are in the wrong with evil consciousness—and lightly on those who are mistakenly wrong.

“But now, the evils of expense are added to the wrongs of the injured; and injustice holds in its hands instruments of boundless vexation.

“Under a proper system, a small part of the expenses incurred in litigation would defray all the costs of justice.

“If, to be an Anti-Slavist is to be a saint, saintship for me!—I am a saint!

“I should like to invite a Yankee and a negro, a lord and a beggar, to my table.”

“*Evidence.*—In matters of evidence, a thing’s being true is of little importance, unless you can show it to be true. The knowledge of its being true will serve as ground for your own opinion, but not for the opinion of anybody else.”

“*Statute Law.*—Earl Stanhope, the queer man who died some time ago, said that he had done what no man ever did—he had read the Statutes at large. On turning them over, I found a curious

fact, that in Henry the VIth.’s time the judges had laid a plot for getting all the land in the kingdom, (like the priests,) by outlawing all whom they liked—with great formalities always, but no grounds. The abuse was got rid of by somebody declaring that this should not be done. There was no indignation. It was a fine run for the attempt, when everything was in confusion, and the judges the only permanent authority. This is a curious fact to beat the heads of the lawyers with, when they talk of ‘the ancient common law,’ ‘virtuous judges,’ and so forth.”

“In Homer, Menelaus is asked whether he was a pirate or robber! To suppose that a man had advanced himself by *force* was not taken amiss. In these days it is no reproach to ask, ‘Are you a lawyer?’—which is to say, Have you advanced yourself by *fraud*? But the time will come when it will be as disreputable to have made way by the arts of the lawyer, as it is now considered to have made way by the arts of the thief.”

CHAPTER XXII.

1827—28. *Æt.* 79—80.

Opinions on Style, Collocation, and Accent.—Opinion on Contemporaries: Peel, Cobbett, Owen, Rammohun Roy, G. Dyer, Priestley, Napoleon, Eldon, &c.—His Secretaries.—Correspondence.—Neal.—Brougham.—Colonel Young and Lord W. Bentinck on East India Affairs.—Letter to the King of Bavaria.—Memoranda of Conversation on Miscellaneous Subjects.—Brougham’s Law Reforms.—Letter to Rammohun Roy.—Catholics and Dissenters.—Mina.—O’Connell and Law and Parliamentary Reform.—Felix Bodin.—Chamberlain Clark.

BENTHAM’S style of composition was the result of the most profound attention, and of a desire to make words the instruments for conveying the most correct notions of thoughts. For clearness of conception, Bentham was always employed in seeking clearness of expression. When language failed to present to him an appropriate instrument for the communication of his ideas, he hesitated not to create one. It has been said of him, that he used the English tongue ungracefully and harshly; and yet it would be difficult to find expressions

more apt than those he employed for the enunciation of his views. His opinions on the subject of language always appeared to me both original and philosophical; and I shall therefore record them in the same shape in which, from time to time, they fell from his lips:—

“In the collocation of words, too little attention is paid to the sense. You have frequently to travel through a sentence before you come to the sense. The principal word of the sentence, the subject of what is predicated, should be presented to view in the first instance. Any

word which is the subject-matter of a clause, should be embedded in the clause to which it belongs.

"The three sorts of class-qualifying, or modifying particles, are the negative, the limitative or restrictive, and the ampliative. To these the proper considerations of collocation should be specially applied.

"Another matter is to avoid interblending the description of the exceptions with the rule, which is an absolute torment to the reader. When exceptions are excepted, they can be arranged under the heads of 1, 2, &c.; and so be referred to over and over again, if necessary.

"No impropriety of language is ever wilfully committed, but for the sake of poetry.

"Tabular views are crutches to help on my crippled faculties. Artificial hands to stand in stead of natural. My natural faculties were so weak that they wanted all these supports.

"If I had been born to a despotic throne, I would have had two prisons built for those who mispronounce the *z*, by introducing it after the place it occupies, as you do *noeis*, (noise;) or before, as Jack does in *tiune*, (tune.) For punishment, you should be tied together, back to back, Mazentius like; or as nature has tied her Siamese twins.

"In the *Edinburgh Review*, the words '*Frappant* proof' are employed. The popular or fashionable neology imposes not the labour of obtaining conception of new thoughts.

"Accent is of great importance in pronunciation. The word which presents the greatest demand for attention, should be the word of emphasis. In composition, the subject-matter should be announced as soon as possible—at the beginning of the sentence—so will the matter become more prominent and clear.

"There is a wicked habit of putting the accents on wrong syllables, on wrong words, on adjectives and adverbs instead of substantives, and in compound nouns on the unimportant, instead of the important word.

"I cannot tolerate your *dēsinate*—

dēmōstrate. All etymology of late—all prosody is confounded. So, again, you put the adjective before the substantive, giving the adjective the emphasis, though it is the least important. You say *hundred weight*, instead of *hundred weight*. To make a dactyl saves the time indeed, but confuses the meaning. Again, in two substantives, why *farm-house*, instead of *farm-house*, which contrasts with *farm-yard*. We may as well do as the French do—an equal accent for all words. I hate, too, your *i*—intruding itself before *u*—*produce*, *news*—*prodiuce*, *niews*. I do not like to think of all the wickedness of pronunciation. It will (with great gravity) bring the world to an end."

He one day said, "William Belsham is a passionate, undiscerning historian." "Undiscerning?" I asked. "No, Sir: I said no such thing. I wish all heretically-pronouncing persons had but one neck—and then——"

On another occasion, "I hate your sneaking *z*, its dizzing sound. The *s* has only a transitory sibilance—to hear these things is one of the sufferings old age dooms man to undergo."

"I use a substantive where others use a verb. A verb slips through your fingers like an eel,—it is evanescent: it cannot be made the subject of predication—for example, I say, to give motion instead of to move. The word motion can thus be the subject of consideration and predication: so the subject-matters are not crowded into the same sentence,—when so crowded they are lost—they escape the attention as if they were not there. In codification everything is of importance. When I have written my code, I shall give the reason for the different formulæ—example—'exceptions excepted.'—In the common way they are huddled together—one in the belly of another; in my form they come one after another, and the reader is invited to consider whether there may not be other exceptions.

"Peel's manufacturers have taken in hand the endeavour to do away with some of the common repetitions and surplusages, such as the enunciation of different sexes,—the singular and plural,

and so forth: but they do not see to the bottom of it. There are many cases where both singular and plural must be used, where the predication is either individual or collective.

"I have received a report from the United States on the disbanding of the army, which is just my slang,—the words, 'Public-Opinion Tribunal'—'sanctions,' and so forth. It shows how much more real power a democratic government really possesses for a good end.

"What a whimsical collocation is this—(I do not remember the author.) 'His exertions to relieve the king from his habitual vices, which were probably well intended, and proceeded from a sincere regard to his welfare'—a substantive should never be introduced between a relative and its antecedent.

"In a great many instances, ignorant people, instead of instructed people, have set the tone of pronunciation. I am sorry the world is not made of combustible matter, that I might set it on fire—hollow the earth—fill it with gunpowder—give me a match—what a noble fire-work it would make in the firmament!

"'And into chaos pulverise the world.'

There! a line from the finest tragedy that was ever written—Chro-non-ho-ton-tho-lo-gos—a line of which is full of emphasis, though it only consists of a name—

"'Aldiborontiphoscophornio.'"

Bentham rendered many services to the English language by the invention and adoption of new words and locutions. Some of these have already become classical, such as *international*, *codify*, *codification*, *maximize*, *minimize*, *maximization*, *minimization*, and many besides.

Others, such as forthcomingness, anteprandial, uncontradictable, though not accepted by public opinion, will, hereafter, when their value is felt, be probably recognised as useful auxiliaries to thought.

Some of his peculiar phrases were merely humorous and grotesque. His rule, as observed above, was, instead of a verb alone, to employ generally a

noun in conjunction with it, for the purpose of dividing them for convenient use; and he frequently burlesqued his own theory. He would say "make-ringtion," instead of "ring" the bell.

In his choice of words, Bentham was most particular. When I said to him once, "Did nothing of the sort occur to you in after-life?" "What do you mean by after-life?" he retorted. "Use no preposition, when you can find an adjective."

He would use the phrases, "opulent mutton," for "rich mutton;" "virtuous soup," for "good soup;" "plausible potatoes," for "tolerably good potatoes."

Bentham excused the employment of his parenthetical style, by the argument, that a parenthesis enables a writer to avoid those objections to a general principle, which grow out of a particular exception.

Bentham's opinions of some of his contemporaries, I record in his own words:—

"*Peel* is weak and feeble. He has been nursed at the breast of Alma Mater. Like the greyhounds of a lady I know, which were fed upon brandy to prevent their growth, so he feeds upon old prejudices to prevent his mind from growing. He has done all the good he is capable of doing, and that is but little. He has given a slight impulse to law improvement in a right direction."

"The Whigs, during their short reign, instituted a Chair of Medical Jurisprudence at Edinburgh, which Canning left out as of no use. That was Oxford! How shallow! Canning and Peel are birds of the same feather."

"*Cobbett* is a man filled with *odium humani generis*. His malevolence and lying are beyond anything."

"*Robert Owen* begins in vapour, and ends in smoke. He is a great braggadoccio. His mind is a maze of confusion, and he avoids coming to particulars. He is always the same—says the same things over and over again. He built some small houses; and people, who had

no houses of their own, went to live in those houses—and he calls this success.”

“*Rammohun Roy* has cast off thirty-five millions of gods, and has learnt from us to embrace reason in the all-important field of religion.”

“*George Dyer's* book on the *Constitution*, is full of *cringes* and *congés* upon paper. A book without a subject or an object.”

“*Dr Priestley* was no favourite of mine. I thought him cold and assuming. He annoyed me by treating *Dr Fordyce* as an ignorant man. Now, I worshipped *Dr Fordyce* on account of his chemical knowledge. He knew everything that was then known. *Dr Priestley* assumed that he had made discoveries which were no discoveries; for example, the muriatic acid in a gaseous shape. He professed to have found it, but it was found by *Van Hamel* two hundred years ago.”

“I had once a good opinion of *Napoleon*: and as a French citizen I voted for his being Consul for life. I do not distinctly remember the grounds which induced me to do this: I thought it was the least evil.

“*Buonaparte's* Code was only for despots. *Talleyrand* said my law projects were works of genius, but not adapted for purposes of tyranny.”

“*Brougham*.—Insincere as he is, it is always worth my while to bestow a day on him.

“I shall try to subdue him, and make something of him. I shall see whether he has any curiosity to assist in tearing the established system of procedure to rags and tatters.

“I am going off the stage. *Brougham* keeps on. When I am in the grave I shall have the advantage over him. He will, perhaps, disappoint me. Nothing so bad to be conceived of any man for which I am not prepared from any man.”

Bentham was much delighted with *Brougham's* phrase, “The schoolmaster is abroad.” How comprehensive,—he said,—how expansive—how eloquent—how appropriate that word, *abroad!*

“Judge *Richardson* would have gone farther with law reform, but he was stopped by the Attorney and Solicitor General.

“*B——* says, that it is understood that *Best* makes all the rout he is making in order to be troublesome, so that he may get to be Chancellor of Ireland, with a peerage.”

“The Bishop of *Llandaff*, in the Lords’ debates, (of 16th May, 1817,) insinuating that Catholics’ oaths are not to be trusted,—think of this, and contrast with it the proof given in ‘Swear not,’ of universal perjury in Oxford men, and indifference to perjury in Cambridge men.”

“One day I met *Eldon* at *Wilberforce's*. He had got into a controversy with a man, who was greatly his inferior, on the subject of law reform; and *Eldon* had a triumph. I took no part in the argument, but ventured on a joke or two, of which *Eldon* took no notice. I do not think he understood them.

“*Eldon's* eloquence is gossiping. *Ellenborough's* is commanding: it is fierce and atrocious, the object of my abomination.

“There is a pretty Tory trinity of *Scott's*. The two lawyers and *Sir Walter*.”

Bentham thus estimated the character of *Sir W. Jones*: “He was considerably above the *par* of lawyers; but his mind was narrow, and his *tout-ensemble* disagreeable.”

I mentioned to *Bentham* that *Sir R—— W——* was going to Florence. “He can do no good here—he can do no harm there: so let him go,” was his reply.

Speaking of a gentleman, whose usefulness had been greatly diminished by a too earnest pursuit of his own particular objects, *Bentham* said, “He is wholly under the influence of narrow interested feelings, antipathy and selfishness included. He hates the ruling few; but he does not love the subject many.”

"Lyssen's book on Italy is a very curious book. In talking of their superstitions, it appears by one line, as if he believed them—and another, as if he scorned them; but the facts he has collected are most valuable, and scattered over the book in prodigious numbers."

"The Pursuits of Literature are sad trash, written in the worst spirit by a trumpety author."

"D—— is close as an oyster. He should be called Osterius, like the man in Fleet Street, who wrote his name in huge letters, and took so much merit to himself for having reduced the price of oysters. He is close, and will be close to the end of his life."

"B——, why does not B—— avail himself of the facts I brought forward? Did not Lord Tenterden turn a blind eye, and a deaf ear, to them? It is natural the Judges should seek their own interest. See Lord Eldon, how he sets Acts of Parliament at nought; and the others practising monstrous extortions. If there had been any incorrectness in my statements, O I should have had it thick and threefold!"

Bentham had a succession of secretaries, many of whom have been distinguished in various professions after they left him, and of their different characters he often liked to talk. This is a sketch of one or two of them, verbatim from his lips:—

"C.'s father was a mechanic of the gentleman class, at Birmingham. He invented a pump for the navy, with some improvements. He engaged in partnership, made many pumps for the government, and much money out of them. My brother's acquaintance with the father, led to my connexion with the son, who became my amanuensis. The father was a very interesting personage, and he had a beautiful house at Greenwich, whence there was a high and expansive view, and I had hope of having it for my Panopticon,—a magnificent instrument with which I then dreamed of revolutionizing the world. C. had two

sons, Charles, the oldest, and Edward. They distinguished themselves at Westminster School. Charles married very early, a lady with a good fortune. His misfortune was, his getting acquainted with a man who was a drunken fellow, and he caught from him the contagion of drunkenness. Edward came to me. He was a remarkably placid, kind-hearted young man,—most remarkably so,—vastly kind and sensible. He had a disposition to study. I inoculated him with my fondness for chemistry, which I had acquired by looking into German books occasionally. He became fond of chemistry, and taught himself German. I communicated to him my brother's notions, and my own, on the subject of posology, as to the means of forming a conception of a proposition without a diagram, on which the ideas were only individual, so that a man might have the individual without the general ideas.* He attended to this, and studied Hamilton's Conic Sections, and went through the whole without the use of a diagram. I could not keep him long, and to my great regret indeed. Parting was a great grief to me. He put his going on his mother. I suppose he was *ennuyé*. He must needs go into the army, and went to the Cape, and other places. The army did him no good. He afterwards got hold of Southey, who bedevilled him entirely. He deteriorated sadly. He was quartered in Scotland, where he became acquainted with the family of a rich physician of the name of W——. Mrs W—— had no children, but she had a niece, whom she brought up as if she had been her daughter. C. found such favour in their sight, that he married this niece. In process of time they quarrelled. His temper was totally changed.—I owed to him my acquaintance with Dr Macculloch, in 1794. As I said, he married this woman. I was musical,—she was musical,—and he was desirous of our meeting. I had then begun to shut myself up, and I declined it. Some eight or ten years ago he called to see me, for the express purpose

* See this process described in Works, vol. viii. p. 156.

of converting me to servilism. He had heard of my having intercourse with the U. S.; and spoke in terms of the utmost insolence, contempt, and abhorrence of the U. S. He assumed that I was quite gone wrong, and that a few words from him were to convert me. I gave Macculloch to understand, that there was no great use in his coming again. I thought it not unlikely, that if he came to live with me I could reconvert him, but there was no time for that. He talked with the utmost respect and affection of what I *was*, but said I had sadly fallen off. He hoped I should see matters in their proper point of view, and abandon those extravagant and mischievous notions with which I was impregnated. His father had inherited an estate of £500 a-year, from an ancestor of the name of Smith,—and had the estate called Sandhurst, purchased by government for the military college. He gave me once a loaf, which reminded me of my boyhood, and I kept it till it grew green, during Panopticon distress.”

“——’s eldest brother had no introduction to me. He became, I believe, a purser in a small vessel, which, touching at a watering-place in Kent, he met Mrs H. and married her. She had £400 to £500 a-year. Her only daughter died in her arms, who intended to have left her a large portion of the estate, but before the pen could be put into her hands, she died.”

“—— came when his brother went. He was a quick, ready fellow, but had no judgment. My brother used to say, ‘His mind is the child of your mind,’ but no! he is of no opinion, or of anybody’s opinion—but he is quick and has plenty of business. He lived here five summers, while I was at Ford Abbey with his gang of relations, during which I allowed him £100 a-year, but I could not endure his having all the mob here, and I put an end to it. He got acquainted with a family of the name of ——, the father a lieutenant in the navy. They were of good family, and had some property. He was very glad to be admitted, and married one of the daughters. He has a monstrous number of children.

“There was a man of the name of ——, who had a patent of some sort. In Devonshire was a mine of marble, which he bought, and went on working this mine of marble. —— had such an opinion of it, that he took an interest, and engaged his brother to sell his wife’s dowry for £2000 to invest. I adventured, and lost £8000, and £2000 of my brother’s. Place said it would have succeeded, if properly managed. I believe the money, after all, was not paid for the mine, and the man went out of his mind.”

“My brother made acquaintance with the father of the ——’s—a man of cleverness and experience, and a head on his shoulders. He got an appointment in one of the dock-yards. He had two sons, W—— and T——. I took W—— first, who was with me two or three years. He was forward, but cold, yet I once drew tears from his eyes. He became reporter to the *Chronicle*, which was his making. T—— was a good boy, who died young. They had a cousin, whose name was H——, and who lived with me the first and second years of my being at Ford Abbey—a queer fellow: a stiff, innoxious, inoffensive creature, like the master of a college—starched, and fit for a parson. He went to Cambridge—tried for a fellowship—failed—took orders—and is now a curate at P——;—his father, an opulent tradesman, having bought a living for him.”

JOHN NEAL TO BENTHAM.

“Portland, Maine, 25th July, 1827.

“MY DEAR SIR,—This part of the United States has greatly improved since I was here last, eight years ago; and beyond all belief, since I left it in my boyhood, seventeen years ago. Education is attended to with more zeal throughout New England, I suspect, than anywhere else on earth,—I would not even except the small and populous district of Germany, where universities and colleges are as plentiful as academies are here; and what will gratify you exceedingly—*you* who are, of a truth, a philanthropist in your views of education, and a philanthropist of

neither sex (by which I do not mean to class you with the no-sex of Byron)—is—(you see how much I am indebted to your pill-boxes for the fashion of this paragraph)—is, that here the education of females is attended to as a thing of equal importance with that of males; and that at Boston High School I was actually led to think of you, and of that Hazlewood Institution, which has been so largely indebted to you, and which is now spreading its mild and encouraging influence (though in a secret way, and through a multitude of unconscious channels) over every part of this country; and I could not help saying to myself, how happy it would make the philosopher of Queen's Square Place, or better yet, the benevolent old man of Q. S. P., whose real character is but just beginning to be understood by about one person in every million of those to the happiness of whom he has devoted his whole life, if he could but stand with me at the desk of the aforesaid High School, and see the cheerful faces below him, a hundred beautiful girls or more, mothers and wives in miniature, all studying as he would have them study, so as to be happier for their intellectual exercise: here a little party undergoing the examination of a grave-looking child, with light eyes and clear complexion, the youngest it might be of the whole class, all of whom appeared as proud of her as we were; and there another tidy, trim-built couple, running a race together side by side in *algebra*! Think of *that*, Sir! Think of Jeremy Bentham leaning on his two elbows, and overlooking, from the top of a high desk, with his white hair flowing against his face, at least one hundred young, beautiful, and good human creatures, made happier by the improvements in education, for which he has been labouring so long, and every now and then pairing off to run races, not with hoops and skipping-ropes, (though *they* are not neglected,) but in *algebra*! But let me describe this:—Against a wall, there is a large black board, upon which the pupils write in chalk. There is but one school a day, instead of two; but it lasts rather longer than one usually does, and

is divided in such a way, that such of the children as like it, may walk about and be happy. Some of them, therefore, do walk about, and prattle over their tasks; but others of a more ambitious temper, contrive to amuse themselves by giving challenges in algebra. Suppose a challenge given and accepted, the combatants pair off to the same spot before the black board: the question is read, and they may begin when they please, either when the reader begins to read, (which makes it a very difficult exercise, though some are very adroit at it,) or after the question has been gone through, in which case the risk of forgetting a part of the terms, may perhaps counterbalance the risk of mistaking them, if you begin before you fully comprehend the whole. The one who gets the answer first wins the race. And such is their inconceivable readiness, that one seldom gets a-head of the other more than a few figures; and I have seen complicated questions done by children of twelve, thirteen, and fourteen years, in a few seconds, which would have employed me for half-an-hour, and I used to be thought quick at figures. But I have seen something of this kind with you, at your British and Foreign School Society. The children there did marvellous things, and appeared to be happy; but then that was a show-day, while in the Boston High School for girls it was not a show-day. I *happened* in, as they say here, by accident; and saw nothing but their every-day exercises. Mr Pierpoint, the Unitarian preacher, of whom you have heard me speak so often and so highly, was, I suspect, one of the two or three who got up this admirable school, which at once has placed our daughters on the same footing as our sons, in all that can materially affect their minds, or materially help them in the education of their children."

BROUGHAM TO BENTHAM.

"September 22, 1827.

"Know, then—I purpose to get up, (after a week's notice, and no more, to the Honourable House,) and say, that a

self-delusion has gone forth, of all being right at Common Law, because all is somewhat, and but a little more, wrong in Chancery; and therewithal I mean to open my Budget of Legal Common Law enormities—to lift the floodgates of whatever stores I possess or can borrow, (and herein don't doubt your reservoirs being freely tapped,) of exposition—detail—illustration, homely and refined—attack, invective, sarcasm, irony, broad-joke, and drollery—in short, every kind of attack, not neglecting the pathetic, on our Criminal Code, and Debtor and Creditor Law. I mean, moreover, to *carry my motion*, not by moving for leave to bring in a code, or even one *rev* of the said code, for I well know all powers of Church and State are against that; but by moving for a good commission, as good as the charity one was bad; and I *know* that their report must produce some proofs of changes, and large changes, being required. I thus, by propounding even this as a matter of figures, obtain all the inestimable *didactic advantages* of the academic, sceptical method—and there is not a part of our law or practice so received and unquestioned that I may not make the subject of discussion. These things coming from a practical man, who is making many thousands a-year by the craft, must have a good effect. And now, to answer your second query—Why *out of office* is better for this great *delivery* than *in*? If I were Attorney or Solicitor General, they would have a right to gag, at least to mitigate me; and I want to be well delivered of my burthen before that happens.—Yours ever.”

BENTHAM TO BROUGHAM.

“Q. S. P., 24th September, 1827.

“MY DEAREST BEST BOY,—You are not so much as fifty. I am fourscore—a few months only wanting: I am old enough to be your grandfather. I could at this moment catch you in my arms, toss you up into the air, and, as you fell into them again, cover you with kisses. It shall have—ay, that it shall—the dear little fellow, some nice sweet pap of my own making: three sorts of it—1. Is Evidence. 2. Judicial Estab-

lishment. 3. Codification Proposal—all to be sucked in, in the order of the numbers.

“Apropos of the Judiciary Establishment, it may be of use that you should know in the first instance, that, in the course of thirty-six intervening years, that plan has undergone some alterations, or, as Honourable House says,—amendments. Pursuer-general, for example, is become Government Advocate; Defender of the Poor, Eleemosynary Advocate.

“French judges were, out of uncontrollable necessity, then located by the people—mine everywhere, by the Minister of Justice. Patriotic auction, *now* pecuniary competition, is not conclusive upon his choice—only helps to guide it, &c. &c. Note.—That Judicial Establishment was then, only a part of it, *in terminis*, the rest, only in general description, and that not completed; now it is in a complete state, and the whole of it *in terminis*, though, as yet, in MS. only; in which state, if any part of that which is in print finds favour in your eyes, you will see the necessity of seeing it.

“*Inter alia*, when once the whole field of legislation is covered, as it so surely may be, with a *stratum*, or edifice, or growth, which you please, of statute law, by an infallible method, I prevent it to all eternity from being choked up in any part of it with a jungle of *common*, alias *Judge-made* law, stuffed, as hitherto, everywhere, with tigers and jackalls, by whom, with the addition of a few land-crocodiles of the Eldon breed, (need it be said,) the people are devoured.

“In conclusion, hear grandpapa again, and accept his blessing, which, however, (remember!) is but a conditional one, and conditioned for your continuing as a law reformer till the end of the next session, the same *bonus puer* which you were on the 22d of this instant September, 1827. Should you become naughty any part of that time, though but in a parenthesis, the *Bête Noire* shall be set upon you, and will gobble you up at a mouthful, screaming and sputtering notwithstanding.”

BROUGHAM TO BENTHAM.

"October 6, 1827.

"DEAR GRANDPAPA,—Many thanks for the *pap*, I am already *fat on it*. I did not acknowledge it, being busy eating it; and saying nothing at meals is the way with us little ones—when hungry.

"I shall be in town next week, late.
—Yours dutifully."

BENTHAM TO BROUGHAM.

"Q. S. P., 9th October, 1827.

"DEAR SWEET LITTLE POPPET,—If it continues, *unus bonus puer*, it will toddle hither immediately upon its return; and besides some more *pap*, made in the same saucepan, it will get fed with some of its own pudding; for a dish there is, which, in the vocabulary of Q. S. P., goes by the name of '*Master Brougham's pudding*,' though if, in an indictment for stealing it, it were named by the name of *pudding*, defendant prisoner would be acquitted, had the whole of the noble army of martyrs kissed their thumbs in proof of the fact.

"Seriously, if you think seriously of making any use of that stuff of mine which you have, it will be material, (as I am sure you will be satisfied,) that you should have the earliest cognizance of a quantity of other stuff that is connected with it.

"J. B.

"At sight of this, employ two words in naming a day when I may expect you. All other engagements shall give way to the one so made. Any day, so named, will accordingly be considered as fixed, without answer on my part."

"30th November, 1827.

"MY DEAR BOY—You have now been breeched some time; and, with a little study, you are able, I am sure, to get a short exercise by heart, and speak it quite pretty. Here is one for you: the next time you toddle to Q. S. P., let me hear you say it; and if you say it without missing more than four words, I have a bright silver fourpence for you,

which you shall take and put into your pocket.

"When you say it, you are to fancy you are in the House of Commons; that I am Speaker; and you sitting on one of the forms, with a pretty silk gown on your little shoulders, and a fine bushy wig on your little pate; and then you start up, as fierce as a little lion, and say what is in the paper which is here enclosed.

"Do as you are bid—I am sure you can, if you will—and the one I have mentioned is not the last of the silver fourpences you will receive from the hands of your loving guardian,

"J. B.

"Master Henry Brougham.

"P.S.—In some places, you will see various readings marked by brackets. Give my respects to your grandmamma, and beg of her to choose for you which you shall say."

BENTHAM TO COL. YOUNG.

"December 28, 1827.

JEREMY BENTHAM, *dictat.*—JOHN BOWRING, *scribet.*

"This moment received, and with the delight you may imagine, through Bowring's lips heard, both your letters, that to him and that to me included. Now comes something which it may be of use to you to hear, and which I venture to send you through him, not thinking it fit to be transmitted through any ordinary amanuensis. Lord William Bentinck, not many days ago, sailed from hence. A few days before his departure, Mill paid me a morning visit, a very unusual thing with him; for, in general, he waits for summons from me. He said he came as the harbinger of good news. For the purpose of bringing him in contact with Lord William, Douglas Kinnaird had made a dinner; but, as his custom was, instead of a *tête-à-tête*, it was a mob dinner—mob composed of between thirty and forty individuals. However, some way or other, they two were brought into more special contact, and a conversation ensued—the particular import of which I do not remember, except that it ended in the expression of a desire of renewal

of acquaintance on the part of Lord William. Now, as Providence had ordained, so it was, that Mrs Grote, the banker's wife—you know more or less about her—had an acquaintance with Lord William. It had been formed at the country residence of an intimate, and, I believe, a relation of hers, Plomer, formerly Member for Hertfordshire. *Rebus instantibus*, an arrangement was formed for a really tête-à-tête dinner at Grote's, appointed to take place the then next Thursday, which was either yesterday se'nnight, or yesterday fortnight, I forget which—I think it was the 10th, he being to sail the 15th of this month. Mill has, at all times, been a declared, and, I have every reason to think, in this instance, a sincere trumpeter of Panopticon, recommending it within the field of his dominion, and, in particular, Bombay, during the vice-royalty of Elphinstone.

“He said he had trumpeted once, and should, on that occasion, trumpet again the said Panopticon. If so, said I, you may as well have a copy to give him, for your text or subject-matter. Yes, said he; but in that case, your name and his should be inscribed in it. Agreed, said I—and so it was. After this day, I saw Mill again, and in general terms he reported to me the result. At the nick of time, comes out a number of the *Scotsman*, Edinbro' newspaper, which you cannot but be more or less acquainted with, taking for its subject not only an immense Evidence work,* (a copy of which, you will receive along with these presents,) but also the author thereof—a transcript of which, in a number of the *Examiner*, is likewise destined to accompany them. Mill said, Grote having, I forget how, in hand a copy of the original, made Lord William hear it from beginning to end. You will judge whether 'tis not natural that this matter should have given me some place, somewhere or other, in an odd corner of your Calcutta sovereign's good opinion; though, should this even be the case, how any very determinate use should be capable of being made of it, I do not see, unless it be the disposing him to set

up a Panopticon there,—a measure to which he expressed himself well inclined. As yet, all this is trifling enough; but that which is not so, is contained in fewer than a dozen words, which I have now to mention. They are these:—‘I am going to British India; but I shall not be Governor-General. It is you that will be Governor-General.’ Having said these words, he gave me a strict injunction of secrecy, the demand for which is sufficiently evident. * *

* * * * * A general proposition to this effect, renders needless a host of details. Another piece of information, also in generals, was, that Lord William was, in his judgment, a well-intentioned, but not a very well-instructed man; but something more particular and proportionably instructive, on this head, was, that he said to Mill,—‘I must confess to you, that what I have ever read amounts to very little, and that it is not without pain that I can read anything!’ Quoth Mill,—‘As to this book, it is not only a preëminently useful, but an amusing book; and so much so, that I could venture to recommend it for Lady William's reading in that view.’ Well said, James Mill!—if it was so said; but that is more than the author himself would take upon himself to say of it.

“As to your notion of my being governed in my notions about anything whatsoever by a certain person, you will more effectually learn from the writer of this than from the inditer, how complete, on this occasion, is your misconception. This about the Stamp Act I look upon as rather good news than otherwise. I hope it may lead to permanent good. * * * *

“What occurs to me, with a view to the expected dissolution of Mrs Company, and George the Fourth (whom God preserve!) stepping into her shoes, is this—that you should lay your heads together, and form, in gradation, a number of schemes, one over another, or under another, whichever end of the ladder you choose to consider as uppermost, all of them with a view to their being, one or more of them, presented in due form to Parliament, to periodical

* The Rationale of Evidence.

press, or any other constituted authorities. Scheme of government the first, that which, in your own view of the matter, is most desirable; but of that, in proportion as it is desirable the acceptance being improbable. Scheme the second, that which appears in the next degree desirable, and thence in the next degree less improbable—and so on, upwards or downwards, as you please, as many schemes one under or above another, as your invention, supported by your patience, can supply. Of course, in this instance, as in every other, proportioned to their fear of those in subjection, will be the probability of condescension and compliance on the part of rulers—and fear will bear a natural proportion to the sense of impotence, as will that sense to the degree of relative indigence. Just now, under existing circumstances, namely, apprehended expense, though so perfectly free from danger on the score of a Turkish war, the increasing refractoriness of the Irish, and the sinking state of our finances, the probability seems to be that by a moderate stir, considered in general, and by the existing stir your letter speaks of in particular, no inconsiderable effect on this tottering administration may not unreasonably be expected. An additional embarrassment may be produced by the refractoriness of Canada. * * * *

“Among your enemies, they being on all occasions the enemies of everybody and of everything that is good, you number Judge and Co. In the five cartloads herewith sent, particularly the fourth, you will find no small store of stones to stone them with. Coming with your recommendation, and your account of him, abstraction made of the importance of the errand which has brought him to this country, your Mr Crawford,* cannot fail of being received at the Hermitage with two pair of open arms.

“Farewell, my ever dear and respected friend! With what delight, on your return to your native Britain, I should clasp you psychologically in my embrace—physically my arms would

not reach you, quoth the now octogenarian hermit of Q. S. P.

“P. S. 16th February, 1828.—This day, I have commenced my eighty-first year, alive and merry.”

BENTHAM TO THE KING OF BAVARIA.

“SIR,—I am that Bentham of whose work on legislation so much is said in M. Bexon's proposed Code. Since that time I have not been idle. Respect for your Majesty's time enjoins economy in words.

“Causes of this address: the delight inspired by your late speech, and the hope of rendering assistance to designs so generous, so exemplary, and, especially from a throne, so unexampled.

“Provincial States—Penal Code, all-comprehensive, and in harmony with the public voice.—Justice administered with open doors.—Sole ground of decision, as far as practicable, *vivâ voce* evidence:—on all these subjects, with so many others inseparably connected with them, this speech of your Majesty's found me occupied.

“Nothing can well be conceived worse adapted to their professed ends, than the aggregate mass of *our* law, really existing and purely fictitious taken together, (for purely fictitious is whatever is called unwritten law,) with the Judiciary Establishment and system of Procedure thereto belonging: whatsoever of prosperity we are in possession of, being the result of causes, other than the aptitude of those professed means, with reference to their declared ends.

“The labour of sixty years of the fourscore I have lived, has, at length, succeeded in drawing to these truths the eyes of the public, and even of Parliament.

“Of a proposed Code of mine—all-embracing, all-comprehensive in its extent—an outline, with considerable explanations of detail, is in preparation; and will, I trust, be ready for presentation in the course of our next Session: some parts excepted, which are declaredly reserved, as not being suited to present times. In proportion as a fair copy advances, any person sent by authority of your Majesty shall be w^ol come to transcribe it.

* John Crawford, formerly governor of Singapore, and author of the “Account of the Indian Archipelago.”

"In the meantime, your Majesty's acceptance is requested for a few articles in print, all aiming at being contributory to the above purpose. These are:—

"I. Codification Proposal:—here mentioned in the first place, because, by the annexed *testimonials*, assistance may be lent to an anticipative judgment, whether, by information from the source in question, adequate payment for any further attention is likely to be made.*

"II. Proposed Constitutional Code. Vol. i. this, unbound; vol. ii. not being as yet printed, nor, indeed, quite completed: Preface, embracing both volumes, consequently not capable of being prefixed.

"This requires not only explanation, but apology.

"The political communities which, on this occasion, I had in view, were those whose constitution may be considered as being as yet unsettled. Such are, for example, the newly formed, or newly forming States, of late Spanish America. A representative democracy is the only form of Government which those States, or any of them, seem disposed to endure. It is, moreover, the only form of Government which, to political communities so circumstanced, I could, with any degree of sincerity, or on any tenable grounds in point of argument, take upon me to propose. Your Majesty's magnanimity will forgive this declaration; your Majesty's discernment will note the use of it: after such an acknowledgment, there can be no concealed design: no design to injure on pretence of serving.

"So far as regards those countries,—the above-mentioned testimonials will, some of them, help to show whether my labours in this vineyard have been altogether without fruit: so likewise the published translation made of those of my works into Spanish. In those countries, no young man, who is not conversant with them, is regarded as having had a liberal education: such, at least, is the information I have repeatedly received from official sources.

* In the same volume, this tract is followed by another on the same subject, of anterior date; and one on the subject of the Penal Code, that had been proposed for Spain. (Note to the letter.)

"To return to the above-mentioned proposed Code. Though, in what regards the *supreme* power, not adapted to any form of Government other than a Republican, yet in no inconsiderable quantity, may be seen in it matter which, if applicable with advantage under any one form of Government, may be so under any other.

"Follow a few examples:—

"1. Plan for keeping in its state of all-comprehensiveness, and whatever symmetry may have originally belonged to it, an all-comprehensive Code, when once formed: preserving it, at the same time, from being overrun, and obscured, and loaded, by an overgrowth, composed of what is so self-contradictorily called *Unwritten Law*: that is to say, of deductions made, and made by any and everybody that pleases, from judicial decisions. What is proposed to be done for this purpose, on the occasion of the proceedings of Legislative bodies, may be seen in this volume: to wit, in Ch. vi., *Legislature*, Section 29, *Members' Motions*: [Works, vol. ix. p. 190-91.] What is proposed to be done for this same purpose, on the occasion of the proceedings of judicatories, will be to be seen in the as yet unprinted volume: that is to say, in Ch. xii. JUDICIARY ESTABLISHMENT, Section 19, *Judges' contested-interpretation-reporting function*; Section 20, *Judges' eventually-emendative function*; Section 21, *Judges' sistitive*, or say, *execution-staying function*; Section 22, *Judges' preinterpretative function*, [p. 502 to 512.]

"2. Plan for an all-comprehensive and systematical registration of the proceedings of all Public offices. Ch. viii., PRIME MINISTER, Section 10, *Registration System*, [p. 209]: and Ch. ix., MINISTERS COLLECTIVELY, Section 7, *Statistic function*, [p. 232 to 253.]

"3. Plan for carrying economy and aptitude, at the same time, on the part of functionaries, to an ideal point of perfection, as indicated by three words, destined for the title of a separate publication: namely, *Official aptitude maximized; expense minimized*: and it is shown how, so far from being repugnant, diminution of expense is subservient to

augmentation of aptitude. Chapters and Sections—Ch. ix., MINISTERS COLLECTIVELY, Section 15, *Remuneration*; Section 16, *Locable who*; Section 17, *Located how*; Section 18, *Dislocable how*: [p. 266 to 294.] In a monarchy, this of course cannot be applicable to the situation of monarch: but it may to any or all subordinate ones.

“The tract entitled *Letters to Toreno*, is sent on account of some views which it contains relative to Penal Legislation, and which are not to be found elsewhere.

“Some annexed manuscript Tables of Contents, as indicated by Titles of Chapters and Sections, may help to convey a faint anticipation of my views on the subject of the Judicial Establishment, the Penal Code, and Judicial Procedure: between criminal and civil no demand having, on this occasion, been found for any line of separation.

“Another accompaniment of this address is a *packet of eight leaves*, containing so many exemplars, all written at the same time by the same hand: name of the system of transcription which they exhibit—the *manifold system*. Mechanical as it is, the sort of operation, the result of which is thus exemplified, forms, by the application thus made of it, no inconsiderable article in the list of those on which, in my own view of the matter, the usefulness of my Procedure Code depends. With the exception of any such suits as, by their want of importance, fail of affording a sufficient warrant for the expense,—each portion of discourse, or other material incident whatsoever, on the occasion of any suit, civil or criminal, as it passes before the Judge, is minuted down in writing: minuted down, that is to say, in this same *manifold* form; to wit, either in the first instance, or in the form of so many copies taken, by one and the same operation, of a rough draft. In this way, as far as *fourteen exemplars* have actually been taken at once: and eight, in characters as legible as these, have habitually been taken, for several years past, for commercial and comparatively private purposes. An account of the invention, and its uses, as applied to all government proceedings, *judicial* more

particularly, may be seen in the accompanying Code, in Ch. viii., PRIME MINISTER, Section 10, *Registration System*. [Works, vol. ix. p. 209.]

“As to beauty,—for purposes of such superordinate importance,—a quality of such subordinate importance will not, assuredly, be deemed worth regarding.

“As to usefulness, one great use is this. In case of Appeal, these Exemplars, one or more of them, go up to the Appellate Judicatory, by the *Letter post*. This, except to a party who chooses to employ an Advocate, will, at the Superior Judicatory, constitute the whole of the *expense*.

“For registration and preservation, of written instruments giving expression to transfers made of property in all its shapes, and to obligatory agreement of all sorts,—preservation of them from falsification, as well as from destruction, the usefulness of it will be equally incontestable.

“The invention is by a lady of good family, whose husband is a gentleman of note, and in easy circumstances. What makes this mention necessary, is—that to perform the operation would require some instruction: a few weeks might even be necessary; and, otherwise than through them, no such instruction is to be had. They would, I will be answerable for them, with pleasure afford it to any person coming with authority from your Majesty to receive it.

“Of the appropriate *paper*, the price is here less than that of the most ordinary writing paper: the cost of the apparatus, consisting of the thinnest and cheapest pieces of silk (the more worn the better)—the *habitual wear and tear* would not raise it above that price. I see no reason for supposing the sort of paper not to be already made, or at any rate without difficulty capable of being made, in your Majesty's dominions. Meantime, in this country it may be had in any quantity for the experiment; but, in this case, would be to be added of course the price of freight.

“This letter, more or less of it, will, probably, sooner or later, be printed and published, unless commands from your Majesty to the contrary are received.

Should the intentions manifested in it be regarded as meriting so high a reward, it will be conferred by a letter, written in your Majesty's own hand, notifying the receipt of this. In this shape alone do I receive rewards at the hands of monarchs. In this shape, I received my sufficient reward from the late Emperor Alexander. In my correspondence with that monarch, as printed in my herewith sent *Papers on Codification*, it may be seen that any service it may be in my power to render to crowned heads is not the less zealous—and assuredly it is not the less sincere—for being, in the ordinary sense of the word, *gratuitous*.

"A nearly complete list of my works is added. Such of them as are still in print are at your Majesty's service, gratuitously; or at the bookseller's price, as your Majesty pleases. Of the Constitutional Code, vol. i., herewith sent, a Spanish translation has, at the expense of the author, been made, and printed for gratuitous distribution.

"To conclude. Till now—in vain, if disposed to insincerity, could I deny it—all the arguments I have been able to find on the subject of monarchy, tend in disfavour of it. Even now, the only argument I can see—but it is no weak one—in favour of that form of government, is this same speech of a King of Bavaria.

"With unfeigned respect and admiration, nor altogether without hope of usefulness, I remain, Sir, your Majesty's servant to command," &c.

THE KING OF BAVARIA TO BENTHAM.

"SIR,—It was only in the course of the month of August that I received the letter you addressed to me from London, on the 20th December, 1827, by which you have kindly sent me your work, entitled *Codification Proposal*. I thank you much for your attention. I have communicated these writings to the Commission charged with the projects of Legislation, which will not fail to avail themselves of the knowledge of an author so enlightened, in all which may be applicable to our states, our constitutions, and our usages. Receive the

expression of my gratitude, and that of the sentiments of esteem, with which I am, &c.

"LOUIS."

"Munich, 10th Oct., 1828."

The following are memoranda from Bentham's conversation in the years 1827-8:—

Speaking of public men, hostile to good government, Bentham said: "The enemies of the people may be divided into two classes. The *depredationists*, whose love of themselves is stronger than their hatred to others; and the *oppressionists*, whose hatred to others is stronger than their love of themselves."

"*Malice* is a murderous instrument in the hands of a cursed lawyer, by which he may commit *his murders* in the name of the law."

"In *defensive* force the principle is, no doubt, involved, that attack may be remotely necessary to *defence*. *Defence* is a fair ground for war. The Quaker's objection cannot stand. What a fine thing it would have been for Buonaparte to have had to do with Quaker nations!"

"How did I improve and fortify my mind? I got hold of the greatest-happiness principle: I asked myself *how* this or that institution contributed to the greatest happiness—*Did it contribute?*—If not, what institution *would* contribute to it?"

"I am never disposed to revenge a deed of injustice done to myself; but to another, when done, I should punish the perpetrator by dashing him against the wall."

"In law, a tax is a prohibition to every man who cannot pay the tax. This is understood in trade, but seems not to be understood in anything else."

Law and Lawyers.

"The Roman law is a parcel of dissertations badly drawn up: the views of the Roman lawyers were, however, more expanded than the views of the English lawyers."

"The principle of justice is, that law

should be known by all: and, for its being known, codification is absolutely essential."

"What a strange state of legislation it is when a case for a shilling is called *penal*—and, it may be, for a man's whole property, and then it is *civil*. I cannot use the word *capital* crime. Why not *mortal*?"

"Wherever you see the word *void*, there is rascality for the cursed lawyers—and this in all its conjunctions. It is a sacrifice of the ends of justice to the ends of judicature: so *nullity*,—so *badness*."

"Simple taxation to the amount of the sinister benefit of the lawyers, would be as nothing in comparison to the present evil: it would be merely depredation to the amount, without denial of justice."

"The late Francis Horner mentioned to me (1806) a case he knew of, in which thirteen representations, one after another, were made to the Lord Ordinary. Representations are papers put in merely for delay, in the same form of words, and there is a fee on each to the Judge's clerk. What is any such representation but a bribe? What does bribery lose of its baseness by being unpunishable?"

"What can be done with lawyers? Hold up rascality, and what then? Demonstrate, and you get no answer,—but if there be the slightest flaw in your arguments, it is laid hold of, and becomes an object of public attention."

"Under the present system of refusing the evidence of unbelievers, any man has the power of conferring pardon by declaring himself an unbeliever. This may be done in a multitude of ways. The king may send a man to murder another, and afterwards pardon him. This is absolute power over the life of every subject. This was done by a late statute, and in order to get rid of an absurdity, they chose to deprive the public of a security."

"My project would be, to have a black-book, clearly printed, containing the record of all offences. My lord

brother* would figure there for defending the old statutes for attainder of blood. In a newspaper the impression is transitory—evanescent; but in such a book, published every year, the infamy would be permanent. Horne Tooke had taken note of the people that had deserved ill of their country, and it was used as evidence of high treason, and that he meant they should all be massacred."

"Pleadings are a most perfect nuisance,—to be expunged altogether: written pleadings are of no more use in a court than they would be in a necessary-house. Now, suppose this foolish system were applied to the evidence given before the House of Commons: they would have to wait one year for every answer, and the answer would have to wait another year for elucidation."

"*Deontology*.—Aristotle's virtue, fortitude, is a virtue or a vice according as applied. You must know the nature of the case in which a man has to give exercise to the quality, before you can decide on its being a virtue or not,—but when I was thirteen I was already too cunning to be taken in by that."

"They talk against suicide. And yet there is not a text in which it is prohibited. But how little do Christians care about the commands of Christianity. Was ever a text more clear than that, 'Swear not at all,'—but it has been cavilled away by glosses and meanings which in no other case would be listened to for a minute."

"*Utility* was an unfortunately chosen word. The idea it gives is a vague one. Dumont insists on retaining the word. He is bigoted, old, and indisposed to adopt what is new, even though it should be better."

"It is sometimes necessary to write a whole book, in order to work out a single truth, which may be expressed in a single sentence. In literature, like philosophy, there is often a result of simplicity, which is got at by elaborate reasonings."

"I have done my part for Law Reform. The subject is more likely to be

* Lord Colchester.

taken up when I am dead, and I shall reap the profit of it, even in the way of reputation. No doubt, possession is better than expectation—but expectation of happiness may be happiness.”

“Fanny Wright told me Socrates was pure as an icicle. I answered that it was my misfortune to read Greek, and to know better. What I read of Socrates was insipid. I could find in him nothing that distinguished him from other people, except his manner of putting questions. This would have been good, had it been explained why; but the devil a bit of an explanation was there. For didactic purposes, it is good for bringing forward the appropriate subject of speculation.”

“Antiquarianism is the natural resource of aristocracy. All its memoirs are monarchical and aristocratic.”

“I never could endure a commonplace. I am not equal to it. I could not make a speech, of the worthlessness of which I was conscious.”

I once recommended Bentham to read some book; and he said: “By daylight, I have something else to do—by candlelight, I cannot see.”

“I never read poetry with enjoyment. I read Milton as a duty. Hudibras for the story and the fun: but Hudibras ended in nothing—but an Epistle to the Widow.”

“I should like a collection of verses from the simplest to the most complex. There is much to be done yet with language. Now, first take a substantive—then a substantive and adjective—then a substantive, adjective, and verb: and so on.”

I remarked to Bentham that he often wrote without looking at the paper on which he was writing. “Yes,” said he, “as on a stringed instrument, the mind takes in the whole piece by a volition—a complicated volition embraces the whole; but if there are staccato notes—if the passage is interrupted or difficult, then a separate volition or act of the mind is wanting: if four or five consecutive notes follow, the manner of producing each note separately from the rest, is not thought of.”

“I cannot write in the ordinary way. It would fatigue me. I hold the paper in my hand, which rests on the table, and thus get on much faster. I write about 16 pages a-day. I have a great abhorrence of waste, yet I am profuse in the use of paper. I had rather give twopence, than waste a penny.”

“Between sleeps, I cannot do much in the way of invention, not having the signs before me. I am troubled by tunes, or by the recollections of past events. These recollections are always plague-some; for, if the events were painful—painful must be the memory of them: and if pleasurable, the pleasure is departed. The putting aside one’s thoughts, is the great instrument of peace. At night, I cannot easily solve a problem, though it does not long remain a difficulty. I apply to it one of my keys—such as this: the good and evil produced by the different classes of offences, enables me to look for the proper remedy. There is always some *nostrum* for the case.”

“When I was looking into old MSS., I expected to find the names and writing less and less legible as they were more and more ancient; but, going backwards from Elizabeth’s time, the writing is more and more intelligible.”

“What remarkable letters are these of the Earl of Essex! They might have been written at the present day.”

“The taking the money from the Canadians by the English Government, in order to do them mischief, is just like the story in Count Fathom, where the beautiful lady in the coach-house has her pocket picked, and the money is employed for her own seduction.”

“The Hebrew is a fine language for the expression of simple ideas. It wants the inflections which result from men’s throwing their thoughts about them.”

“Were not pen, ink, and paper necessary to writing, writing would be a very agreeable thing; but pen, ink, and paper are never disposed unanimously to obey the writer’s mandates,—there is generally something amiss with one or other of them.”

"My 'idleness' is to do that which does not belong to the order of the day. Anything which presents itself with a particular demand for recordation, I set down, if it present itself with an apt expression or method. Now, my order of the day is one of the three codes. When not busied with these, deontology, logic, and language, occupy my thoughts."

"Few things are more wanting than a code of international law. Vattel's propositions are most old-womanish and tautological. They come to this: Law is nature—Nature is law. He builds upon a cloud. When he means anything, it is from a vague perception of the principle of utility; but more frequently no meaning can be found. Many of his dicta amount to this: It is not just to do that which is unjust."

"In England, the most expensive plan is always preferred: 1st, because economy would set a bad example; 2d, because ignorance has no means of judging but from expense."

"When I was made a Bencher, I accepted the rank, as I thought it would be the means of saving me from persecution. They were some time in choosing me, and I was some time—I believe six months—in accepting."

"The American colonies really said nothing to justify their revolution. They thought not of *utility*, and *use* was against them. Now, utility was the sole ground of defence. What a state the human mind was in, in those days! I was not then sufficiently advanced in the study of government to show the true grounds of opposition; that a country could not be well governed by one so very far from it; that appeals are an instrument of despotism in the hands of the rich against the poor. It seemed no part of duty to excite enmities from one set of men against another set of men; for by exciting enmity, you destroy all the effects of your deliberate counsel."

"The Danaides filling with water, vessels full of holes, are alike the emblem and the prophecy of the Wisdom of the

Ancients, about which Bacon talks. They but anticipate the endeavour to gorge the appetites of the ruling few with the elements of felicity taken by unpunishable depredation from the subsistence of the subject many."

"A proper device for 'wisdom of ancestors,' would be a man with eyes behind, and none before."

"Polemics are a pretence to know things essentially unknowable."

"*Nemo omnibus horis sapit*, is the best elucidation of *non omnes possumus omnia*. The mind cannot be permanently kept on the stretch."

"The principle of pensions of retreat is so obviously wrong, that I wonder it should not have been more frequently attacked. The assumption is, that the more you give for service, the better service you will have. Now, independently of salary, all public offices confer power which is not to be had out of them,—yet out of them there are no pensions of retreat, nor are they found necessary for securing the best services."

"When the Insolvent Debtors' Court was set up, I expected no good from it, except the discharge of debtors, and I have not been disappointed. I thought they had neither the will nor the power to make a good thing of it: not the will, for they had not the interest,—not the power, for they had not the machinery. But the failure is much greater than I had any idea of."

"Costs can only be cured by local jurisdictions—justice accessible everywhere. It is now the interest of attorneys to have as many witnesses as they can. They get paid for attendance, examination, and so on, all of which might be avoided by examination by the judge. They have also more evidence than can ever be heard, as matter of precaution. Character-evidence has no check. You might go on to examine evidence of the character of the evidence giver, and so on *ad infinitum*. It is all vague; so good character is no evidence against a fact, and bad charac-

ter is worse—it is vague assertion without a specific fact.

“Expenses ought not to be thrown on the parties. Would the public bear it? They ought to bear it. The non-litigants have the benefit of that protection which the litigants pay so dearly for.

“In every case, the injured man who pays costs, suffers an aggravation of the injury.

“Of what use are all these petty peddling reforms of the law? the abuses must be swept away in a mass.

“Our laws are made by judges for the benefit of judges.

“I should support juries at the cost of my life. They are a check upon the despotism of the judges, who are only the instruments of the despotism of the king,—though, in a proper judiciary, neither would be wanting.”

“In one of Frederick of Prussia's projects, there is a foolish declaration, that he would have all law-suits ended in a twelvemonth. Fixation of penalties, and fixation of time, are a prodigious source of evil, which I am combating with all my might. Frederick, by fixing twelve months, gave a sort of license for any suit to last as long as this.”

“*Deontology*—In writing my *Deontology*, I took the virtues as referred to by Aristotle—traced such of them as would blend with mine, and let the rest evaporate.”

“The distinction between pleasure and happiness, is, that happiness is not susceptible of division, but pleasure is. A pleasure is single—happiness is a blended result, like wealth. Now, nobody would call a rag wealth, and yet it is a part of the matter of wealth.”

“A good system of morals, would give the practiser of them the pleasures of sympathy and the benefits of friendship. It would teach him to refrain from annoying others.”

“Revenge is a dear bought, uneconomical pleasure. It purchases everlasting hatred at the price of a moment's

gratification. Consider when a wrong has been done, if exposure would prevent its repetition. If so, it is an act of self-regarding prudence; but the exposure should be temperate, prudent, and appropriate to the occasion.”

“The classification of the virtues resolves itself into four: pure self-regarding prudence, extra-regarding prudence, negative-effective benevolence, positive-effective benevolence, or the benevolence accompanied with or followed by beneficence. For a man to take care of himself, is prudence—of others, is benevolence; and these two heads exhaust the subject. There is benevolence on a small scale, and benevolence on a large scale. In treating the subject, take the simple cases first, the complicated afterwards. The pleasure of effective benevolence, on the widest scale, few are susceptible of—it is a choice and aristocratical pleasure. You must show, how, by consulting the interests and happiness of other persons, pain may be avoided—pleasure created.

“The great difficulty is the mistaking the adjacent for the permanent interest. An atomic speck upon the eye, will cover an island. The mistake may be seen in a thousand instances. A man cohabits with a woman. He obeys the impulse of interest, and gets diseased. Esau gets a mess of pottage. He obeys the impulse of interest, and loses his birth-right. M—— makes the same mistake in gathering together his hundreds of thousands.”

“On how many occasions do we give pain, when we might give pleasure?”

“Every act of kindness is, in fact, an exercise of power, and a stock of friendship laid up; and why should not power exercise itself as well in the production of pleasure as of pain? If you do not draw down friendship, you alienate enmity.”

“Remember we do not exercise, or ought not to exercise, even a *besoin* in vain. It should serve for manure. Tread not on an insect.”

“Deal as scantily towards yourself as

you please, but do not deal so towards other people."

"There are many religious people who had rather see men miserable than innoxious. Unhappiness is the instrument by which they would make us angels; but the brutes are often interested in corruptions—out of them they gain influence and reputation."

"*Logic*.—What is the use of the dialectic part of logic? Is it not a parcel of stuff that leads to nothing? The nomenclature which shows the relation of one proposition to another in the way of reasoning? I remember when reading, even at thirteen or fourteen, that I could learn nothing from the examples given, which are generally sad nonsense; and I asked myself '*Cui bono?*' and could give myself no answer. In writing, the thing is to get the whole of the subject before you."

Bentham frequently spoke of the value of logic, and of the undeserved neglect into which the study had fallen in later times. He insisted on its universal application to all the purposes of art and science. "From a given point, as that of a triangle," said he, "a man may make excursions into all parts of the field of thought—he may apply the true principles of logic to the whole domain of knowledge."

"I have been influenced through life by short texts, which were impressed on my memory in boyhood. Among them the favourite have been the three words from Thucydides, which Clarendon has made the motto to his history:—

"*πρῆμα ἐς ἀεί.*"

That verse of Lucan:—

"*Nil actum credens dum quid superesset agendum.*"

The line of Homer:—

"*οὐρανὸν ἐστρέφετε χάριν, καὶ ἐπὶ χθονὶ βαίνετε.*"

With its Latin translation:—

"*Ingrediturque solo et caput inter nubila condit.*"

"I have endeavoured to bring two elements into my writings—invention, and correctness; and have kept the

quodlibet cum quolibet constantly in view."

"Who would not be comfortable, if it depended on his own will?"

"The humility of the English church is, to be clad in purple and fine linen, and to live upon turtle, venison, and pine-apples."

"What an occasion of felicity on the part of the inhabitants of New South Wales is the introduction of the pumpkin!—yet I could not tolerate those blue-bottle flies which blow the meat even while it is trundling on the spit. But New South Wales is the place to go to and live at for ever, without disease. I am reconciled to the loss of Panopticon when I think of the mass of happiness that is being created there. Wentworth may in time become a good minister of justice. If the people be attacked by a military force, they must retreat into the interior to the other side of the Blue Mountains."

"In our system, all that can add to the opulence and wealth of the ruling few, is made provision for; but the happiness of individuals is not thought of."

I have before mentioned Bentham's dislike to the maxim—"That nothing but favourable things should be told of the dead." One day he said to me, "*Gloria in excelsis!*" To talk of *De mortuis nil nisi bonum*, is as much as to say, *De excelsis nil nisi bonum*. Who ever heard of any *mortui* that were not *excelsi*? This maxim is one of the inventions of despotism: it perpetuates misrepresentation of the ruling few at the expense of the subject many; it employs suppression instead of open lying, for the purpose of deception; it would shield depredation and oppression from exposure; and when it is too late to prevent misdoings by present punishment, would protect the misdoers even against future denunciation and judgment. Aristocracy gets all the benefit of the maxim; for the poor are never honoured with unqualified posthumous praise. And thus, the world bestows its foolish confidence on those who

always betray it. Thus, all distinctions are levelled, but those of wealth and prosperity. Thus, the fallacy becomes an instrument in the hand of tyranny. Thus, in the two Houses of Parliament men are always flattering one another: the most opulent, the most extravagant, and thence the most rapacious. Witness kings, who get the greatest portion of this flattery; and in the same spirit judges are always for punishing, with the greatest severity, those who utter anything to the disadvantage of kings."

"Nobody need say a word to show the worthlessness of the Whigs as a party. They have been shattered to pieces a thousand times. But that is no reason you should quarrel with any one of them. You are running your head against a post, where he is concerned: and he is running his head against a post, where you are concerned."

"The Whigs may be in a situation not to advocate all that is desirable; but that is no reason why others should dissemble their sentiments, and consent to be slaves, because the Whigs find it for their interest to be so."

"I wonder how any pleasure can be found in descriptions of pictures, or descriptions of music. Pictures are to be seen—music is to be heard; but to write about them, gratifies neither seeing nor hearing."

"O that I could decompose myself like a polypus. Could I make half-a-dozen selfs, I have work for all."

"The beauty of Parmesan cheese is its innocence: of other cheese, its corruption."

"It is very desirable for the purposes of government, that a register should exist of all the sailors in the merchant sea service, in order to know what the radical strength of this portion of the national defence is."*

"In all cases of oppression, care must be taken that the oppressed shall not be subjected to the uncertainty of re-

dress, and the certainty of after vengeance."

"Invention and memory often operate at the expense of one another."

"Lord L. is hardly a man to regain the ground he has lost. The toes of his *amour-propre* have been terribly trod upon."

"They say Tom Moore's poetry has offended the king.—Kings are fair game, and sharp sportsmen cannot help attacking them."

"Many of Peel's projects are merely for the creation of new offices with large salaries.—The places will fail, but the salaries will have to be paid; and then there comes a cry against reform, as the cause of the unnecessary salaries."

He spoke with great satisfaction of an article in No. 2. of *The Jurist*, on Grand Juries. "It is capital,—but the last sentence is opposed to everything that precedes it,—a conclusion hostile to the premises. Grand Juries should be preserved according to the old receipt for preparing cucumbers,—'Pepper them, and salt them, and — throw them to the dung-hill.'"

"I have helped to cure myself of my fears of ghosts, by reasoning thus:—Ghosts are clothed, or not clothed; now, I never saw, nor fancied I saw, a ghost without clothes: so if there be ghosts of men, there must be ghosts of clothes too; and to believe this requires a farther stretch of belief, and farther evidence and authority."

"*Pour aimer les hommes il faut en attendre peu.*" This sentence of Helvetius has been a real treasure to me."

"I wish, instead of the Ballot, which is vague, the word Secrecy-of-Suffrage were used. In truth, representation requires only four things to be perfect—Secrecy, Annuality, Equality, Universality."

"The value of money is, its quantity multiplied by the felicity it produces."

"What Bacon did was to proclaim—'*Fiat experimentum*;' but his own

* See Constitutional Code, Book ii. chap. x. sect. 16.

knowledge of Natural Philosophy was ignorance.

"What Locke did, was to destroy the notion of innate ideas.

"What Newton did, was to throw light on one branch of science.

"But I have planted the tree of Utility—I have planted it deep, and spread it wide."

MEMORANDUM, 1827.

"*Monarchy.*—Sad lot of humanity under an absolute monarchy,—under an aristocracy-ridden, and by-corruption-working mixed monarchy. Disposed of according to the humour of a single being,—a human being,—though in character separated from every other in whose hands the same vast mass of power is not condensed. He lives encompassed with a perpetual cloud; deeds of darkness are all his deeds,—and thus far is he made the image of the divinity. With no other human being has he such intercourse, as every other human being continually holds with his fellow men. From his cradle, he is taught that all human beings are subject to his power, and created to his use. It is not in human nature to resist so flattering a position—of whomsoever else it may be the creed, *his* creed it will naturally be: and not being in the situation of anybody, what feeling can he have for anybody?

"To his favour men are indebted for their rise—to his displeasure, for their fall. How can the man who does anything which he had rather not have done, be other than an offender in his eyes!

"For half a century, the most worthless of the people have been enriching and amusing themselves with misgoverning and mistreating the rest. Tired of the monotony, Fortune has arisen from her lethargy, and, broom in hand, clears the cabinet of the worst of the vermin with which she had filled it, leaving some of the least bad, whom she found there, to give more or less variety to the scene.*

"Were they placed there for fitness for the business of government? Not they. But they had rendered themselves agreeable to the monarch's humour and obsequious to his will. What removed them? Inaptitude for government? O no! It was a fit of ill-humour,—nothing more."

ON BROUGHAM'S LAW REFORM.

"February 9, 1828.

"Mr Brougham's mountain is delivered, and behold!—the mouse. The wisdom of the reformer could not overcome the craft of the lawyer. Mr Brougham, after all, is not the man to set up a simple, natural, and rational administration of justice against the entanglements and technicalities of our English law proceedings.

"When quarrels take place, one course is obvious, as a step to the right understanding of the matter, and the prompt settlement of it. That course is hated and opposed by lawyers. It is to bring the parties into the presence of the judge. This is and was the one thing needful. Let the plaintiff make out his *prima facie* case to the judge. If the judge see fit to entertain the suit, let the defendant meet them face to face. So would the interests of truth be served—but not the interests of lawyers.

"The demand—the defence—the evidence—would thus be presented in the simplest and most intelligible form, and, in most cases, the suit be speedily terminated. The costly machinery with which Justice encumbers her *go-cart* would be got rid of. In complicated questions, that is, in exceptions to the general rule, professional men might be introduced as assistants or substitutes. Wilful falsehood must be punished as now, or lies will undoubtedly abound. Those who have read Mr Bentham's *Rationale of Evidence*, know what he means by a *Mendacity License*. The man who is sheltered from the punishment of falsehood, has obtained a mendacity license. The system of special pleading is the pregnant, the prolific mother of lies. *That* is truly a mendacity license,—a reward and an encour-

* In allusion to the dissolution of the Canning Cabinet in 1827

agement to falsehood. All lies are bad, —judicial lies are the worst of all. Are they not, Mr Peel? Are they not, Mr Brougham? Those who like lies and lying, whether for the purposes of selfish interest, or those of private and public injustice, let them cling to special pleading with the tenacity of the fondest affection. But if lies and injustice be objects of abhorrence, so will special pleading be. Mr Peel will laud it, and so will Mr Brougham. Special pleading cried up by both. Bavius and Mævius! Mr Peel and Mr Brougham! Those who laud the one, may laud the other. Boys of the same school,—heirs of the same inheritance,—preachers of the same faith! Shake them in a bag: look at them playing at push-pin together. Mr Peel will have no short pleas; so he establishes long ones. Mr Brougham will tear up this and that and t'other root of lies, with the special care to plant others just as noxious in their stead. Mr Brougham! instead of six hours, you may talk for sixty. The public will be enlightened at last. They will look upon you as the sham adversary, but real accomplice of Mr Peel, unless you can sacrifice (hard sacrifice, but how illustrious!) your interest and profit in this wholesale manufacture of lies,—of lies as mischievous as were ever devised by their great author and father. You know their paternity. 'Is it not written in the Book?'

"But Mr Peel tells us, that the appearance of both parties before the judge is *impossible*, and so thinks Mr Brougham. Impossible? I have made a little discovery or so, if I could gently insinuate them. *Imprimis*, I have found out that an *impossibility* may be—indeed it may be—a *fact*. A French dramatist whispered it in mine ear. '*Cela ne se peut pas*,' said a positive old gentleman. '*Je ne sais pas*,' replied a modest doubter like me. '*Je ne sais pas si cela se peut, mais je sais bien que cela est*.' A *second*, I have heard of a court—have not you, Mr Brougham?—called a Court of Conscience. Were you ever there, Mr Peel? for you might have made a *third* discovery, that in that court the parties do appear—ay, in their

own persons—and plead, without a mendacity license, in the presence of the judge. And a *fourth* discovery might have flashed through your mind, that if a man would take the trouble to attend in a dispute about nine-and-thirty shillings, he might (might he not?) be persuaded to attend about one of nine-and-thirty thousand pounds: and this might have suggested a *fifth*, that if one man can be brought to attend in the cause of another man, he might—possibly he might, Mr Peel, if the experiment were made—be induced to attend when the cause was his own.

"Right honourable gentlemen! and learned gentlemen! you will deem all this very paradoxical and pretending. But note, I do not praise the constitution of the Courts of Conscience, I speak only of their practice. Learned gentlemen in their wisdom, and they are wise enough in their generation, have taken care to hide the good beneath a veil of evil, in order that the good might not ramify and recommend itself elsewhere. And with a *sixth* discovery, viz. that the constitution of a court is one thing:—the practice as to the admission and exclusion of evidence, is another—I depart.

"MISOPSEUDO."

BENTHAM TO RAMMOHUN ROY.

"INTENSELY ADMIRING AND DEARLY BELOVED COLLABORATOR IN THE SERVICE OF MANKIND!—Your character is made known to me by our excellent friends, Colonel Young, Colonel Stanhope, and Mr Buckingham. Your works, by a book in which I read, a style which, but for the name of an Hindoo, I should have ascribed to the pen of a superiorly well-educated and instructed Englishman. A just-now-published work of mine, which I send by favour of Mrs Young, exhibits my view of the foundations of human belief, specially applied to the practice of this country in matters of law.

"Now at the brink of the grave, (for I want but a month or two of fourscore,) among the most delightful of my reflections, is the hope, I am notwithstanding feeding myself with, of rendering my labours of some considerable use to the

hundred millions, or thereabouts, of whom I understand that part of your population which is under English governance or influence is composed.

"With Mr Mill's work on British India you can scarcely fail to be more or less acquainted. For these three or four-and-twenty years he has numbered himself among my disciples; for upwards of twenty years he has been receiving my instructions; for about the half of each of five years, he and his family have been my guests. If not adequately known already, his situation in the East India Company's service can be explained to you by Colonel Young. My papers on *Evidence*,—those papers which you now see in print—were in his hands, and read through by him, while occupied in his above-noticed great work; a work from which more practically applicable information on the subject of government and policy may be derived (I think I can venture to say) than from any other as yet extant; though, as to style, I wish I could, with truth and sincerity, pronounce it equal to yours.

"For these many years a grand object of his ambition has been to provide for British India, in the room of the abominable existing system, a good system of judicial procedure, with a judicial establishment adequate to the administration of it; and for the composition of it his reliance has all along been, and continues to be, on me. What I have written on these subjects wants little of being complete; so little that, were I to die to-morrow, there are those that would be able to put it in order and carry it through the press.

"What he aims at above all things is,—the giving stability and security to landed property in the hands of the greatest number throughout British India; and, for this purpose, to ascertain by judicial inquiry, the state of the *customs* of the people in that respect. For this same purpose, a great *increase* in the number of *judicatories*, together with the *oral examination* of all parties concerned, and *recordation* of the result will be absolutely necessary: the mode of proceeding as simple as possible, unexpensive and prompt, forming in these

respects as complete a contrast as possible with the abominable system of the great Calcutta Judicatory: nations of unmixed blood and half-caste, both of whom could serve on moderate salaries, being, on my system, as much employed as possible.

"Though but very lately known to your new Governor-general, Mr Mill is in high favour with him; and (I have reason to believe) will have a good deal of influence, which, in that case, he will employ for the purpose above-mentioned.

"He has assured his lordship that there can be no good penal judicature without an apt *prison* and prison-management; and no apt prison or prison-management, without the plan which we call the *Panopticon* plan,—an account of which is in a work of mine, a copy of which, if I can find one, will accompany this letter. At any rate, Colonel Young can explain it to you, with the cause why it was not, five-and-thirty years ago, established here; and all the prisoners, as well as all the paupers of England, put under my care:* all the persons being, at all times, under the eye of the keepers, and the keepers, as well as they, under the eye of as many people as do not grudge the trouble of walking up a few steps for the purpose.

"For I know not how many years—a dozen or fifteen, perhaps—I have never paid a single visit to anybody, except during about three months, when a complaint I was troubled with forced me to bathing places, and at length to Paris. Thus it is that Lord William and I have never come together; and now there is not time enough. Half jest, half earnest, Mr Mill promised him a meeting with me on his return from India; for, old as I am, I am in good health and spirits, and have as yet lost but little of the very little strength I had in my youth. Though the *influence* of my writings is said to be something, of anything that can be called *power* I have not had any the least atom. I have some reason for expecting that, ere long, more or

* See the work on Pauper Management, in vol. viii. of the Works.

less use will be made of my work on Judicial Procedure by government here. But, from the influence possessed by Mr Mill, and the intense anxiety he has been manifesting for some years past for the completion of it, my hopes have in relation to your country been rather sanguine. Of the characters of it I cannot find time to say anything, except that, by the regard shown in it to the interests of the subject many, and by its simplicity, which I have endeavoured to maximize, I have little fear of its not recommending itself to your affections.

“What regards the Judiciary Establishment, will form about half of the second of two volumes, a copy of the first of which (with the exception of six introductory parts) being already in print, is designed to form part of the contents of this packet.

“While writing, it has occurred to me to add a copy of a work called Panopticon; the rather because, at the desire of Mr Mill, it is in the hands of your new Governor-general, Lord William Bentinck, to whom Mr Mill has been recommending, and, as he flatters himself, not altogether without success, the erection of a place of confinement, upon the principles therein displayed. More than thirty years ago, but for a personal pique taken against me by the late king, George the Third, all the prisoners in the kingdom, and all the paupers, would, under my care, have been provided for by me upon the same principle. To the Prime Minister of the time, (from 1792 to 1802,) with his colleagues, it was an object of enthusiastic and persevering admiration; and not only was an act of the Legislature, which (you know) could not have been enacted without the king's consent, obtained for the purpose, but so much as related to the experimental prison carried into effect as the purchase of a large spot of ground for the purpose, and the greatest part put into my possession; but when the last step came to be taken, George the Third could not be prevailed upon to take it; and so the affair ended.

“In my Codification Proposal, you will see letter for Del Valle of Guatemala, *alias* Central America, in late

Spanish America. He is the instructor of his country; such an one as you of yours. I thus mention him to you. I shall mention you to him. Several papers he has sent me have made known to me his history, his occupations, and his designs. I hear him spoken of, from various quarters, as by far the most estimable man that late Spanish America has produced. If there be anything that you could like to transmit to him, it would be a sincere pleasure to me to receive it, and transmit it to him accordingly. Yours and his are kindred souls. Though in his country highest in estimation, it is still uncertain whether he is so in power, there being another man whose party is at war with that to which Del Valle wishes best; but, as far as I can learn, that of Del Valle is most likely to be ultimately prevailing.

“Bowring, with whom you have corresponded, is now living with me. He is the most intimate friend I have: the most influential, as well as ardent man I know, in the endeavour at everything that is most serviceable to mankind.

“Farewell, illustrious friend! You may imagine from what is above, with what pleasure I should hear from you. Information from you might perhaps be made of use with reference to the above objects. But you should, in that case, send me two letters—one confidential, another ostensible. If I live seven days longer, I shall be fourscore. To make provision for the event of my death, you should do by your letters to me, as Colonel Young has done by his: send it open, enclosed in one to Bowring.

“We have high hopes of Lord William's good intentions: so much better than from so high an aristocratical family as his could have been expected.

“I have been asking our common friends here, over and over again, for their assurance that there is some chance of your paying a visit to this strange country. I can get little better from them, than a shake of the head.

“P.S. Panopticon. Should this plan, and the reasoning, meet your approbation, you will see that none of the business as to which it is applicable, could

be carried on well otherwise than by contract. What say you to the making singly, or in conjunction with other enlightened philanthropists, an offer to Government for that purpose? Professors of all religions might join in the contract; and appropriate classification and separation for the persons under management: provision correspondent to their several religions, and their respective castes; or other allocations under their respective religions. How it would delight me to see you and Colonel Young engaged in a partnership for a purpose of that sort!"

In answer to a request of Burdett, that he might be allowed to come and dine, and talk over Brougham's Law Reform, Bentham answers:—

BENTHAM TO SIR F. BURDETT.

"Q. S. P., 11th February, 1828.

"FRANCIS,—I see how it is with you. You don't know where to go for a dinner; and so you are for coming to me. I hear you have been idler than usual, since you were in my service; always running after the hounds, whenever you could get anybody to trust you with a horse. I hear you are got among the Tories, and that you said once you were one of them: you must have been in your cups. You had been reading *High Life below Stairs*, I suppose, and wanted them to call you Lord Burdett. You have always had a hankering after bad company, whatever I could do to keep you out of it. You want to tell me a cock-and-a-bull story about that fellow Brougham. * * * I always thought you a cunning fellow; but I never thought it would have come to this. You want to be, once more, besides getting a bellyfull, as great a man as —.

"Well, I believe I must indulge you. No work will there be for you on Wednesday; I can tell you that. That is the day, therefore, for your old master to be charitable to you. So come here that day a little before seven. Orders will be given for letting you in.—Your friend to serve you, &c.

"P.S.—You were got cock-a-whoop somehow or other, when you began this letter of yours. You thought that, because you were writing to so declared a democrat, you might venture to address a Master (and such a Master!) in the way your letter shows. You dreamed we were in the United States: I your *quondam* employer; you my *quondam* helper. When you had written the two words, you came to your senses, and recollected yourself. Your intention was to scratch out those two words: I mean the words, '*Dear Bentham.*' I can scarce bring the pen to write, I am so ashamed of you. * * * You have always been a giddy fellow, ever since I have known you; sometimes one thing, sometimes another: your mother spared the rod, and spoiled the child. But I am as indulgent as you are giddy. Yes: your intention was to have scratched out those words, and you forgot it. I take what could not but have been the will, for the deed."

I addressed these verses to Bentham on the completion of his 80th year; and I insert them, because he more than once spoke of them with pleasure:—

So time hath landed thee at last
On thy serene fourscore;
And years have crown'd thee as they pass'd
With honours o'er and o'er.
Look down from the sublime ascent
Where thou art musing now;
See—nations rear their monument!
Who fills its tablet?—Thou!
Soon is the glorious sunlight gone,
As eve in shade declines;
But fame like thine shines on—shines on—
And brightens as it shines.

February 15, 1828, 1 o'Clock, A.M.

Bentham drew up the following

"ADDRESS, PROPOSING A PLAN FOR UNITING
THE CATHOLICS AND DISSENTERS FOR THE
FURTHERANCE OF RELIGIOUS LIBERTY.

"February 1828.

"It is the wish of some persons to do away with political arrangements, by which any persons are subjected to disadvantage in any shape, on the account of opinions on the subject of religion; and thus, to unite all subjects of this realm in the bands of Christian charity.

On this occasion, they look with especial desire to the case of the Roman Catholics.

"Neither are even the Jews excluded from their good wishes, or proposed to be excluded from their endeavours; for though the Jews are not themselves Christians, they are not, on that account, in the less degree proper objects of Christian charity. With regard to the Jews, however, they have not, as yet, taken any measures, nor held communication with them.

"The persons in question are men whose influence, with reference to this end, has manifested itself in the aggregate body of the Protestant Dissenters.

"Their wishes embrace, with no less cordiality, their fellow-subjects in Ireland, than those in Great Britain; and they look to a coöperation with the Catholics of England as a means of affording assistants, in this particular, to the Catholics of Ireland.

"For bringing about the wished-for state of things, as above, the following are the political arrangements, and thence the enactments, that would be necessary:—

"1. To repeal every statute by which, under the name either of punishment, or under any other name, any distinction is established, disadvantageous in any way to any person, on account of any opinion promulgated, or supposed to be entertained, on the subject of religion.

"2. To insert a clause, in the requisite terms, for abrogating, so to speak, the Common Law;—that is to say, to prevent from being done by Judges, or by their authority, anything which, after the above proposed repealing enactment, could not be done under the authority of the legislature.

"On the supposition that, on the part of the English Catholics in general, there exists a disposition to coöperate with the body of English Protestant Dissenters, for the above or any other purpose, then comes the question, what may be the course best adapted to be taken, with a view to such coöperation.

"The course habitually employed by the Protestant Dissenters, is this: 1. In each denomination, each congregation sends two deputies to the Assembly,

acting in behalf of that particular denomination. Each such particular Assembly sends six deputies to the General Assembly of the Protestant Dissenters.

"What is proposed, is, that the Catholics of England, proceeding in such manner as shall be most agreeable to themselves, should appoint on their part six deputies, to sit in the General Assembly as above.

"Among the Protestant Dissenters, are denominations more than one, each of which is more numerous than that of the English Catholics. The English Catholics, will not, therefore, by this arrangement, be subjected to any disadvantageous distinction in respect of quantity of influence.

"The cordiality of the regard entertained for the Catholics, will, on this occasion, it is believed, be found manifested by several considerations.

"They [the Dissenters] stand clear from all the objections that, in narrow minds, apply to the Catholics.—1. They have no Pope.—2. They are not of the same religion with the Jesuits.—3. No ancestors of theirs committed any such cruelties as were committed by the ancestors of the Catholics, when the power was in their hands.

"Exceptions to a comparatively inconsiderable amount excepted, they are already in possession of those exemptions, which it is their desire to see the Catholics possessed of in common with themselves: in possession, and by a custom of longer standing than the longest which is necessary to give an irrefragable title to land,—howsoever not possessed by the letter of the law: in a word, they have seats not only in all subordinate official situations, but even in Parliament.

"In the case of the Irish Catholics, there are several circumstances which, as yet, stand in the way of a direct coöperation. But by coöperating, as above, with the Protestant Dissenters, the English Catholics might form a bridge of communication, and thence a bond of union, between their Catholic brethren of Ireland, and the Protestant Dissenters of England.

"Moreover, by an example of this

kind, the liberal-minded among the Irish Protestants, and, in particular, the Presbyterians, might be better disposed, many of them, to the throwing their weight into the scale of the Catholics.

"As to the number of persons to be deputed, as above, by the English Catholics, six seems to be the only number proposable, consistently with that *equality* which, in the present case, would be *equity*. Of that number, what may be the composition, will rest altogether with the members of the community in question—the English Catholics. In the mode above-mentioned, they have an example before their eyes, the adoption of which may perhaps save trouble; but any other imaginable mode lies open to them.

"In a few days, the case of the Political Dissenters will be laid before Parliament, by Lord John Russell, so far as regards the repeal of the Test and Corporation Acts: but, should he succeed in his motion, no change would thereby be essential in the wishes or endeavours of the persons here in question in behalf of the English Catholics.

"It cannot surely be doubted but that the greater the number of the applicants, the greater will be the probability of success on the part of persons of all descriptions, who regard themselves as labouring under injustice."

In 1828, Bentham was engaged with Mina, who was then contemplating the invasion of Spain for the government of that country. Mina, if he succeeded, was to take the title of Constitutional Dictator for four years: at the end of which, a democratic constitution was to come into operation, and the constitutional functionaries to be nominated. Such constitution to be open to all future beneficial changes, and at a period to be defined, the constitution was to give the electoral right to all persons able to read; and the evidence of their being able was to be obtained from their reading extracts from the Constitutional Code itself. The possession of the right of suffrage would, it was supposed, interest all possessors of the suffrage in support of the Constitution by which it was conferred;

but as the power of the clergy might be employed for the purposes of misrule, the Dictator should have the power of taking away the suffrage from classes or individuals, during the term of his Dictatorship, or for a shorter period. But as a man unapt to vote might be fit to serve his country in other positions than as a voter, the alienation of the suffrage should bring with it no alienation from public functions; as, in fact, the possession of such functions, where associated with money or power, would dispose the possessor to support the Constitution. It will be remembered that the Spanish Constitution of 1812 founded the right of voting after a definite time upon the ability of the voter to read and write.

O'Connell, in one of his impassioned speeches, (July 1828,) after eloquently exposing the unknowable state of the Law, the wholly inefficient reforms of Peel, and the necessity of a thorough purification of the Augean stable of abuse, ended by calling himself "an humble disciple of the immortal Bentham." No personal intercourse had, up to this time, existed between the philosopher and the Liberator; but the immense services which O'Connell was able to render to the great objects Bentham was pursuing, could not escape his penetration. And well do I remember the enthusiasm—the joy with which he referred to some of those eloquent outbreaks with which O'Connell every now and then attacked the abuses of the law—the craft of the lawyers—the costliness and inaccessibility of justice to the people.

BENTHAM TO DANIEL O'CONNELL.

"Q. S. P., 15th July, 1828.

"JEREMY BENTHAM TO DANIEL O'CONNELL,—Health and success.

"Figure to yourself the mixture of surprise and delight which has this instant been poured into my mind by the sound of my name, as uttered by you, in the speech just read to me out of the *Morning Herald*: the sound I say, for it is only by my ears that I am able to read the type of it. By one and the same man, not only *Parliamentary* Reform, but Law Reform advocated.

Advocated? and by what man? By one who, in the vulgar sense of profit and loss, has nothing to gain by it; but a vast (but who can say how vast?) amount to lose by it: a man at the very head of that class of 'conjurors,' which, with so much correctness, as well as energy, he thus denominates. Yes, only from Ireland could such self-sacrifice come; nowhere else: least of all in England, cold, selfish, priest-ridden, lawyer-ridden, lord-ridden, squire-ridden, soldier-ridden England, could any approach to it be found. '*Nil vulgare te dignum*' said, I forget who, to Celsus: '*Nil vulgare te dignum*,' says Jeremy Bentham to Daniel O'Connell.

"Parties in person, in the first instance, before the judge. Yes, without this for the general rule, exceptions to a small extent excepted, (all of which lie before me perfectly defined,) no justice can have place; nothing better than oppression, corruption, and, instead of justice itself, a noxious and poisonous mixture of sale and denial of justice. Plaintiff and defendant both state their own case. Yes, there it is! You, Sir, gave the strongest of all possible pledges for perseverance. Daniel O'Connell! there I have you; and, so sure am I always to have you, never, so long as I have life, will I let you go. No, never: for having thus spoken, could you, even if willing, make your escape! The Rubicon you have now passed; Rubicon the second, and beyond comparison the most formidable: the Parliamentary Reform Rubicon is but a ripple to it. The most formidable of all Rubicon's being thus passed, never can you repass it without disgrace.

"Some time ago—I believe I may say some years ago—I sent you a copy of my *Parliamentary Reform Bill*. Even then you did not leave it unmentioned, nor, consequently, unhonoured; no, nor unapproved. But you were not then seconded; the time was not then ripe for it. Long before this, in the natural course of things, that copy will have dropped from off your shelf. *Another* will follow the present letter; and the purpose for which this other copy is now

sent, is *another* purpose. It is that of suggesting hints relative to the organization of a system of communication between man and man, for all imaginable political good purposes: a mode by which every friend to good government may know, at all times, where to find every other.

"Another little work, which by the same opportunity solicits your acceptance, is my Codification Proposal. 'The system of law at present used in England is a disgrace (you say) to the present period of civilisation.' Labouring towards the clearing these, and all other countries, of this disgrace, has been the occupation of by far the greatest part of my long life, and will be that of the small remainder.

"Mr Peel is for consolidation in contradistinction to codification: I for codification in contradistinction to consolidation. In the few drops of really existing law, floating here and there in the cloud of imaginary law, made on each occasion, by each man for his own use, under the name of common-law, his object is to lighten the labour employed by learned gentlemen in making use of the index you speak of. My object is to render it possible to 'lay gents.' to pay obedience to all rules which they are made punishable, and every day punished, for not obeying. In his opinion no such possibility is either necessary or desirable.

"Another Nuzzeer, as they say in India, is composed of my 'Indications respecting Lord Eldon.' In the body, though not in the title, are Indications respecting Lord Tenterden, and the, to him, profitable extortion, established, as may there be seen, by his open connivance. Coupled with this indication, is that of the sale and denial of justice now authorized and established by Act of Parliament. Compare this with the Church-building tax, not only non-Church-of-Englandists, (in which negative profession you and I agree,) not only non-Church-of-Englandists, but Church-of-Englandists *themselves* object to being taxed for addition to be continually made to the existing number of nests of reverend sinecurists.

"Bad enough this, unquestionably : but what is, beyond comparison, worse, is, the measure by which, in 1825, Lord Eldon and his Mr Peel, and, in a word, the whole firm, as I term it, of Judge & Co., concurred in giving to judges the power of imposing upon the people law taxes without stint, on condition of passing the whole profits into their own pockets.—I say, in comparison of that extortion which has religion for its mask, the extortion with justice for its mask is not crime, but virtue. By the Church-building tax no other mischief is done, over and above the taking the money by force out of the pockets of the proprietor, and adding it to the mass of the matter of corruption by which, with such unhappy success, men are urged to profess to believe that which they disbelieve.

"By the money exacted, under the name of fees, by judge from suitor, justice is sold to all who can and do pay those same fees with their *etceteras*,—denied to all besides : and by multiplying *ad libitum*, as they have been all along in use to do, and will continue to do, the number of the occasions in which those fees are received, they give continual increase to the aggregate amount of this same plunderage. This foul disease, thus injected into the body politic by as shameless a set of operators as the world ever saw, I have thus endeavoured to present in its proper colours. Oh, that to mix and apply them the hand of an O'Connell had been granted me !

"Another Nuzzeer is composed of five too large volumes of the *Rationale of Evidence*. Of various objects which it has, one is the showing that, from beginning to end, the existing practice in that subject is a tissue of inconsistencies and absurdities in design, as well as in effect, as opposite to the end of justice as it is possible for judicial practice to be. As for you, occupied as you seem and ought to be, that you should honour with a perusal the whole, or so much as a tenth part of it, is out of the sphere of possibility ; but among your professional friends you have disciples, and, by the index, it may happen to yourself to be now and then conducted to this or that

point—if not for information, at any rate for a laugh ; for when absurdity is wound up to a certain pitch, a laugh will now and then afford payment for the toil of reading through it. Here, however, I behold you already on my side. It must have been perceived by you, that those witnesses by whose evidence deception is least likely to be produced, are those in whose instance the interest taken by them in the cause is most surely and openly conspicuous. This you must have seen, or you would not have recommended that they should be always heard.

"Should your shelves happen to contain a copy already, this may go to the shop, and perform the office of a mite cast into the Catholic-Rent Treasury."

Bentham was desirous that O'Connell should take up a temporary abode at his house, and writes to him :—

"17th July, 1828.

"To obviate disappointment, it is necessary that my peculiar manner of living should be known to you. My lamp being so near to extinction, and so much remaining to do by such feeble light as it is able to give, I never (unless of necessity, and then for as short a time as may be) see anybody but at dinner hour, that which is here a customary one—seven o'clock. As to place, I never dine anywhere but in my workshop, where the table admits not of more than five. Having learned, from long observation, that as in love so in business, when close discussion is necessary, every third person is a nuisance ; in addition to any inmate I may have, I never have more than one person to dine with me—a person whom either my inmate or myself may have been desirous to hold converse with. After the little dessert, the visiter of the day, if mine, stays with me ; if my inmate's, goes with him into the inmate's room till tea-time—my two young constant inmates taking, as above, their departure of course. The evening, not later than to half after eleven, is the only time I could regularly spare for conference, so far as regards the purpose of questioning. Your mornings would

be passed in reading any stuff in print, or in manuscript, or in receiving explanation from some young friend of mine, or in ambulatory conference, for health's sake, in the garden with me. Let not the word appal you, for, how much soever your inferior in wit, you would not find me so in gaiety. My abode, you see, is not without strict propriety termed a hermitage. Servant of the male sex, none—cooking, for a hermit's, tolerably well spoken of. At to the hermit himself, smell he has absolutely none left; taste, next to none; wine, such as it is, guests, of course, drink as they please—the hermit none. None better has he to invite you to than a few remaining bottles of Hock laid in in 1793; older, at any rate, than that which Horace invited his friend to in an Ode I have not looked upon these seventy years.”

DANIEL O'CONNELL TO BENTHAM.

“*Merrion Square, Dublin,*
“*3d August, 1828.*”

“Would to Heaven I could realize your plan—how I should relish a political retreat in your hermitage, to prepare for all of practical utility that my faculties enable me to effectuate. But I cannot leave Ireland. The progress of political and moral improvement seems to me to want my assistance here; and certainly there would be some retardation in the machinery, if my shoulder was not constantly at the wheel, and my *lash* on the shoulders of those who help to force it forward. Without a metaphor, I am not able to leave Ireland, even for the purpose of replenishing myself with the reasons of that political faith which is in me. I am, in good truth, your zealous, if you will not allow me to call myself your humble disciple. It is said somewhere, that Irishmen frequently catch glimpses of sublime theories, without being able to comprehend the entire plan. For my part, I certainly see a part, and would wish to comprehend the details of the whole. My device is yours:—‘The greatest possible good to the greatest possible number.’ And I say it with sincerity, that no man has ever done so much to show how this ob-

ject could be realized, as you have. I sincerely wish I could devote the rest of my life to assist in realizing this object; but my profession gives my family at present between six and seven thousands of pounds in the year, and I cannot afford to deprive them of that sum: all I can do, is, to dedicate to political subjects, as much time as can be torn from my profession.

“I am deeply imbued with the opinion that our *procedure* is calculated to produce anything but truth and justice; and if ever they are elicited, it is by accident, and at an expense of time and principle, which ought both to be otherwise employed. *How is it possible that law stamps and law fees* have survived—about *forty years*, I think—your protest?

“I am also convinced, that, to be without a *code*, is to be without justice. Who shall guard the guardians?—who shall judge the judges?—A code! Without a code, the judges are the only efficient and perpetual legislature. There is a melancholy amusement in seeing how the ‘*scoundrels*’—pardon me—do sometimes *legislate*. In England, it is bad enough. In Ireland, where the checks (such as they are) of parliamentary *talk*, and of the press, are either totally removed or rendered nearly powerless, the mischief of *judicial legislation*, is felt in its most mischievous, ludicrous, and criminal operation.

“Mr Brougham’s *evils* are plain, and sometimes well displayed. His remedies are but patches placed on a threadbare and rent coat, and cut out of an unused remnant of the original cloth. They serve only to show the *poverty*, as well as *want of skill*, of the owner, and artificer of both.

* * * * *

“With respect to Parliamentary Reform, I have only to say, that I want no *authority* to convince me of this—that without election by ballot, it is not possible to have perfect freedom of selection. With a ballot, the inducement to corrupt the voter would be destroyed, even by the uncertainty of his giving the *value* after he got the bribe. Ballot is essential to Reform.”

BENTHAM TO DANIEL O'CONNELL.

"Queen's Square Place,
"31st August, 1828.

"Here is the 31st of August come, date of your letter the 3d of the month, and no reply yet sent, nor so much as the little cargo of books, which my first letter spoke of as sent already. Misconceptions and disappointments, not worth mentioning, have been the causes.

"Parliamentary Reform, Law Reform, Codification—all these *agenda* crowned with your approbation—nothing can be more satisfactory, nothing more glorious to me—nothing more beneficial to the so unhappily United Kingdom, from thence to the rest of the civilized world, and from thence, in God Almighty's good time, to the uncivilized. One thing only missing—your sojourn at the Hermitage,—I say your sojourn,—for your visit, at any rate, is promised.

"Now for matter—a rather untoward effect, to speak in the official naval style, has been produced upon your friends and allies here, by the transformation—degeneration they call it, of Radical into Constitutional—Constitutional, as it has been observed by many, Mr Peel himself would have no objection to. If Constitutional is synonymous to Radical—if it means all that Radical does—what the need, and where the use in changing it? If it means not so much as Radical, here then is departure—here is backing out, and so soon after the advance. If, after so many years of consideration, this is relinquished, what security can the two other innovations—projects but of yesterday—promise themselves for their being adhered to and preserved.

"So far as regards Parliamentary Reform, something to this effect, mixed as usual with his bitter, violent, and coarse vituperation, you cannot but have seen in roasted-wheat-seller Hunt's letter in the *Herald*, which, I take for granted, you and yours regularly see. The paper in which that speech of yours is, is not before me; but, according to my recollection, though to accommodate somebody else, you consented to the substitution of 'Constitutional' to Radical in some papers proposed for general

acceptance: Radical was the reform you, in your individual capacity, declared your adherence to. This recollection, flattering myself with its being a correct one, I adhere to—*Facile credimus id quod volumus*—but others contradict me.

"Now, then, of all who join with you, what could have been any one's inducement to adopt anything that is not Radical Reform, to the exclusion of that which is? A reform which is not Radical, is moderate reform; and a reform which is moderate reform, is Whig reform. What then can have been the inducement to adopt Whig Reform to the exclusion of Radical Reform, but the prospect of gaining over, or steady-ing, in some proportion or other, the Whigs?

"Now, according to my conception of the matter, in any proportion that could give probability of success to your cause, as well might you look for assistance from Mr Peel and his coadjutors as from the Whigs. If the present system of representation by intimidation is necessary to the Tories, it is still more so to the Whigs. The Tories, in addition to such quantity of the matter of corruption as they possess in the shape of means of intimidation, are in possession of all that exists in the shape of means of allurements,—money, power, factitious reputation, factitious dignity—compound of power and dignity in the shape of peerage—compound of power, dignity, and vast opulence in the shape of bishopricks and archbishopricks—not to speak of deaneries, canonries, and prebends—all of them so many avowed sinecures, in addition to those others, which, being so many little-to-does about nothing, are so many effective sinecures. Now, of all these good things, what is it that is in possession of the Whigs? Nothing but an always varying number of seats out of the 658—always varying, but at the utmost not more than what constitute a comparatively small minority, at no time sufficient to carry so much as a single measure. Now, then, this being all that they have to trust to for whatever share of importance they may possess, is it in the nature of man that they

should fail to cling to it with the most determined pertinacity? Is it in the nature of man that they should, any one of them, join in the procurement of the ballot?

"For any one to join in promoting the ballot, what would it be but to commit suicide? In fact, joining in promoting the ballot, would be being a Radical and not a Whig; for, let but the ballot but be established, away slip all the seats from under them. Some will be filled by Tories, some by Radicals, in proportions which, as things stand at present, it will not be possible to determine. Now, then, without the ballot, think what would become of you and your cause? True it is, at a spurt, at a time of extraordinary excitement, by a political miracle such as was never yet exemplified, and perhaps may never be so again—a miracle such as no country but Ireland was ever capable of exemplifying, one seat has been filled, and so perhaps, in I cannot pretend to say what quantity, some others. But if, by continuance of the same miracles, all the seats in Ireland were thus filled, how much would you be the nearer to the accomplishment of your wishes? Obtain the ballot for Ireland, you will obtain it for England and Scotland likewise. This done, you obtain a good government with the faculty of framing a real constitution, instead of on every occasion dreaming of an imaginary one, and with the opposite fact staring you in the face, pretending to believe it and talking of it as if it really were a real one.

"Here, among Englishmen, some few members there are, I am well assured, one of whom will, in the course of the next Session, move for the ballot, and by speech as well as votes, be supported by others. This, then, is what you should be prepared to join in, or rather to be beforehand with, and prepare for. Petitions from all Ireland, either for Radical Reform, or, if you are not strong enough for that, for the Ballot by itself. Ballot alone would be slower, whether surer, it is for you, not for me, to judge.

"Six or seven thousand a-year' professional profit, to take care of, and push

as far as it will go, for the benefit of a family! Well, this is sincere and honest, and I thank you for it. Nor would it be part of my plan, I think, were you even at my disposal, that you should give it up—especially if Parliament were, after all, inaccessible to you. But what it would make me happy to see you agree with me in, and accordingly treat us where you are with a speech or two in consequence, is what I myself am satisfied about, and perfectly persuaded of, viz., that if Law Reform were carried to its utmost length, which is what my system, if proposed and adopted, would effect, you, personally considered—you, such as you are, would not be a sixpence the less rich for it. All the business you could find time to do you would, in every state of things, be altogether sure of; and in respect of all-comprehensiveness and clearness, were the state of the law carried to its utmost possible length, you would not have one brief the less, nor for any brief one sovereign the less. I should think rather the more: for the less the money spent upon attorneys and official lawyers, the more would be left to be spent upon barrister's eloquence. In common law, in particular, none of the fees for incidental parts of a suit are so large as those which are given when the vital part of the suit comes upon the carpet, *i. e.* at the trial, the speech, and cross-examination on the question of fact. The shorter each suit, the greater the number of suits with these speeches in them, that would come upon the carpet in a given space of time: for my plan, which is simplicity itself, would dry up the source effectually, of incidental questions. Nor would my plan, I should suppose, be, even in respect of profit, detrimental to the interest of the higher branch of the profession taken as a whole,—for it includes judgeships as many as there are spaces in the country, each, upon an average, being a square—of, say from ten to twelve miles of a side, (analagous, in this respect, to the judgeships in the French system—always understood, that, under my system, on any judicial bench, every judge more than one is a perfect nuisance, destroying

responsibility, multiplying the expense by the number of the judges: with other objections too numerous to enumerate;) while, instead of the feeble control, if any, which may be thought to be applied to abuse, by multitude of judges, I apply a perfectly efficient control, by a system of appeals, to which I give a degree of facility, beyond anything of which a conception can even as yet have been entertained. Then, instead of so many barristers with professional profits, varying from naught to hundreds, and here and there a very few, thousands—here would be so many judges with fixed salaries, not exposed to uncertainty; and the power and dignity of the judge, instead of the no power and no dignity of the representative of everybody from the peer down to the half-starved thief. Now, then, as to the glory you would reap from the accomplishment of a second, I should rather say a third task, to which no hand other than yours is equal, and the felicity beyond all example—beyond even conception, which you will give to more than twenty millions of human beings in the two islands, besides et ceteras upon et ceteras. This is not a picture for such an old and blunt pencil as mine to attempt to delineate. An imagination such as yours, will, in the twinkling of an eye, supply every demand which a purpose such as this can ever make on it. Here, then, is your own personal interest in every shape, in perfect harmony and accordance with the public interest, to an extent equal to that of the surface of the globe. Is it possible, that, if there were any such discordance, as, for the reasons above-mentioned, I do not anticipate, between the universal interest and the hair's-breadth interest of your brethren of the profession, the hair's-breadth interest should, in your scales, weigh more than the universal interest?

"I have spoken of the thing as being in your power, and that by means of speeches of which you give me hopes. But what are the speeches I have in view?—what the proposed scene of them. Not the House of Commons; for in that place, the most brilliant and even effective speech that man ever

made, or ever could make, would be a flash in the pan and nothing more. No, the scene I have in view, lies in the places, wherever they are, in which the effect of a speech might be to engage the people, one and all, to petition Parliament for Law Reform. And leaving speeches altogether to you, in framing petitions apposite to the purpose, I shall not be altogether without hopes of affording such assistance as might be of use.

"Farewell, illustrious friend! comforter of my old age! invigorator of my fondest hopes!

"Somewhat more of this scribble I was threatening you with in my mind; but for one and the same post, this is quite enough."

Bentham had a great objection to partings. He said, he saw no reason that people should inflict upon themselves or others the pain of saying adieu. "Your welcome," says Bodin, in a letter to him, "is so cordial, so affectionate, so hospitable, that you are quite right in prohibiting the utterance of a farewell. I love to think of your philanthropic laboratory, where you raised over my head your famous stick, whose beneficent despotism ordered nothing but a most willing obedience." Bentham had a favourite stick: he called it Dobbin; and often, in his playfulness, he raised it over the shoulders of his visitors. Bodin was one of Bentham's favourites. His works on the French Revolution had immense popularity in France. He was a co-adjutor of Thiers. He became, as his father had been, a member of the Chamber of Deputies; and died in the flower of life, an object of strong affection to all who knew him. He had taken as his motto—his name was Felix—"Maxima Felicitas plurimum." He hurried to Dumont to obtain his sanction for its use; and Dumont approved the classical rendering.

BENTHAM TO DANIEL O'CONNELL.

"September 13, 1828.

"Hunt and Cobbett I contemplate with much the same eye, as the visitors

of Mr Carpenter, the optician, contemplate the rabid animals devouring one another in a drop of water. Hunt I never saw, nor corresponded with. Cobbett I saw once at the house of a common acquaintance; and, without so much as the shadow of a dispute, half-an-hour sufficed me for seeing him exactly as he is. As a speaker, Cobbett, they say, is nothing: Hunt very great. His moral character nothing has changed, nor presents a probability of changing: his intellectual character has received prodigious improvement. In the city of London, his influence has, of late, exercised by means of his speeches, become very considerable. What he has done as yet has been unexceptionable; but so intense in him are the passions of envy and jealousy, that whenever he sees anything at once great and good proposed by anybody else, the greater and better it were, the more strenuous would be his endeavours to defeat it."

"September 19, 1828.

"As to your political creed, nothing occurs to me to which I could not subscribe; and, in particular, to that rational and efficiency-helping principle, which has always been mine—that neither to the minutest improvement that is attainable, nor to any the most insignificant coadjutor who is obtainable, should acceptance be refused.

"It is not without a sort of trepidation, that I ever see the word *Constitution* issuing from your pen. In regard to Common Law, you are sufficiently aware that it is a mere fiction in regard to the Constitution: but are you sufficiently aware that it is but part and parcel of that same fiction? I cannot but flatter myself you are. 'I deem it impossible' (say you) (*Morning Herald*, 19th September, 1828) 'to have a Constitution at all worth naming, without Radical Reform.' Well then, as it is we have not a Constitution worth naming; so think I; and accordingly, when I come to speak of the mischievous features of it, as they exist in *practice, de facto*, though there are no determinate words by which they are made what

they are *de jure*,—I prefix, by way of sarcasm, the epithet matchless, so commonly prefixed to the name of the idol-phantom by the admirers of it.

"Short-lived assemblies of legislators have an innate disease, the emblem of which may be seen in the stone of Sisyphus. In my CONSTITUTIONAL CODE, chap. vi., sect. 24, *Continuation Committee*, should curiosity carry you thither, you will see a proposed remedy, and, I flatter myself, a cure for it. But for this, an annually, or even a biennially—not to say a triennially elected Legislature, might go on for ages, without giving consummation to an all-comprehensive Code, or even any very considerable part of one. It was not till a very few years ago—say three or four—that the infirmity which put me upon the remedy occurred to me."

"23d September, 1828.

Si BALLOT before the rest of RADICAL REFORM
—*Modus Procedendi*.

"An idea that strikes me just now is this:—For a commencement, the most promising course—[is to take that measure]—to which the resistance is likely to be least extensive. What say you, accordingly, to the beginning with the Ballot alone? Among leading men, I have heard of several who would be prepared to give support to it; and I have been informed, that next session, among the English members, a motion to that effect will be made. The bug-bear, and abhorrence-moving Radical Reform would thus be laid aside. The aristocracy could not be so completely struck at. Many there are who would not like to see the value of their votes diminished by the addition of such a flood of fresh men, and yet would be glad to have their own votes free. Accordingly, I cannot but think, howsoever strenuous and extensive the opposition to the Ballot alone might be, it could not but be much less so than if Radical Reform in all its features were brought upon the carpet at once."

Of Hunt, Bentham again writes to O'Connell:—

"Sept. 19, 1828.

"What is past cannot be recalled; but, in future, if he can be kept from abusing you, so much the better. In his pericranium, the organ of abusiveness is full a yard long. It must be driving at something. Driving at what is *abuseworthy*—it may do good; for there is no small strength in it: driving at what is praiseworthy,—it either does nothing, or does evil. Driving at the city of London abuses, he has already done considerable good, and is in the way to do considerably more.

"All that a vituperative epithet proves is—that he who uses it is angry with him on whom he bestows it, not that he has any reason for being so.

"Should you ever again have occasion to speak of Henry Hunt, I hope you will not again bring it up against him, as if it were a matter of reproach, that he sells Blacking or anything else; for, besides that there is no harm in selling Blacking, the feeling thus betrayed belongs not to us democrats, but to aristocrats, who make property (and that more particularly in a particular form, the immoveable) the standard of opinion. Moreover, men of our trade should be particularly cautious as to the throwing into the faces of antagonists vituperation as to their trade; for thereupon may come in reply—Junius' aphorism about 'the indiscriminate defence of right and wrong.' J. B. will tack to it a predilection in favour of wrong as being the best customer. Accordingly, what is it I so much admire you for?—not for your travels in the track of our trade, but for your excursions from it, and even against it."

DANIEL O'CONNELL TO BENTHAM.

"Derrynane, Sept. 13, 1828.

"I am here amongst my native mountains, for a few, very few weeks. I decide all the controversies in the district. I never allow a witness to appear, until the plaintiff and defendant have both fully told their tales, and agreed their *points*. In nine instances out of ten, other testimony is unnecessary. This tribunal is so cheap, it costs

them nothing; and is so expeditious (I decide as soon as the parties have exhausted their arguments, and offered their witnesses on the facts, ultimately in dispute) that they reserve for me all their disputes, and it appears to me that they are satisfied with the results. This deduction I the more readily draw from the purely voluntary nature of their submission to my awards. It proves, however, nothing, but as far as it shows *me* the great value of hearing the parties themselves."

"Derrynane Abbey,

"6th October, 1828.

"Allow me to assure you that your letters can give me no other *sensation* but that of pleasure. I did not speak to you of long-cherished opinion respecting yourself, least I should have the appearance of flattery, even while I kept myself within the strict lines of sober truth. But let me not be so accused whilst this one sentence breathes from me,—that I am convinced that no one individual, in modern times, approaches in any degree to the practical and permanent utility of Bentham. You will have contributed more to the great approaching change from the *plundering* forms of government to the protecting modes of administering the affairs of mankind, than any one man that ever existed.

"I owe you many, many obligations. I long felt the pressure of the present system of law, including, under that word, all its details. My conviction of its iniquity was so strong, that for the people at large I deemed it better that there should be no tribunal at all than the existing mode of recovering debts. I would have left to the poorer classes every debt a *debt of honour*, and no sanction under which *credit* could be obtained, but that of the personal character of each individual, giving to each *that* as a stimulant to *deserve* confidence. You have satisfied me that that contract may be enforced for the people at large by the natural and domestic plan of proceeding, and the obligation to *appear* in person ceases to be an inconvenience, or, at least, cannot reasonably be objected to by the favourers of a system which

compels the uninterested witnesses to give to third persons their time and trouble.

"Why do I trouble you with these subjects? Simply to show you that it is needless to offer me anything in the way of apology. Though not as able,—of course I am not, I am as anxious to be useful as you are; and the 'strike but hear' of the Grecian, is one of my maxims. I belong to a religion which teaches the merits of good works; and I am quite a sincere votary of that creed. Besides the pleasure of doing good, and the gratification which a light heart feels even at the attempt to be useful, there is—I hope I say it without any tinge of hypocrisy—a higher propelling motive on my mind. There is the stimulant, I hope, of religious duty and spiritual reward. There are many who would smile at my simplicity. And the '*liberaux*' of France, who hate religion much more than they do tyranny, would sneer at me. Yet it is true. I do look for a reward exceedingly great, for endeavouring to terminate a system of fraud, perjury, and oppression of the poor.

* * * * *

"My opinion of Hunt is, that his Radicalism is not love of liberty, but hatred of tyranny, mixing, I think, with hatred of anything superior of any description. These men, I mean men of this description, are, however, necessary. They are the pioneers of reform; but they get so unsavoury from their trade, that it is absolutely requisite to send them to the rear when the practical combat comes on. My letter to Hunt was founded on this idea. I did intend to dismiss him to his proper station, and I would, if you had not interfered, have followed that letter up with one letter more, which should have terminated the contest on my part. I still think of writing a few lines; but they shall not be disrespectful, '*car tel est votre plaisir*.' You shall be my thermometer of Hunt's political utility. Tell me to throw him overboard altogether, and I will do it without alluding offensively to his Blacking. But reminding him of his pride, as 'Lord of the manor of Glastonbury,' tell me to treat him

with respect, and I will do so, subduing my mind to your judgment upon his future power of usefulness."

"Merrion Square, Dublin.

"Oct. 26, 1828.

"In future, I fear I shall be able to write you only on Sunday. I do no business, that is, *profane* work on that day; but works of charity are not only allowed, but are commanded on that day; and where is there a work of charity so great as the giving *protection by law*, and preventing law from being the scourge of the poor, and the vexation of even the wealthy. This is my excuse for writing on Sunday; and if it be lawful, as I deem it to be, to extract a single ass out of the pit on the Lord's day, it must be equally justifiable to assist in extracting an entire people from the worst pit that ever asses were coaxed or cudgelled into. But why do I waste time and paper on this subject?" * *

BENTHAM TO DANIEL O'CONNELL.

"Q. S. P., 2d November, 1828.

"Received yesterday, yours dated Dublin the 27th: it makes letter the sixth. You are *unus bonissimus puer*, as Cicero would have said, if ever there was one. I have some pretty little silver pence in my treasury. I have looked out one of the brightest of them, to put into your little hands when you come in February to seat yourself in my lap. Presently after, dropped in British-India and Political-Economy Mill, one of the earliest of my disciples. He had been seeing a man of the name of Glyn, who, I believe, is a somebody; he had been over a good part of Ireland lately, and was all praise and admiration of you, more especially on account of your prudence—that was the word. Mill knows Ensor extremely well: still better than I do. Good intentions, prodigious learning, sharp wit, poignant satire—all this Ensor has. Close and consistent reasoning? Alas! not; unless his attack upon your wings, which I admired at the time, but which is now out of my head, be an exception. Mill says he is impracticable, and in Parliament he sees

not very well what particular use he would be of. But somewhere or other, with the above qualities, he might be of use in Ireland, for aught we know to the contrary. He professed admiration of me. I published a 'Parliamentary Catechism,' and 'Parliamentary Reform Code,' both with ample reasons. Afterwards, he published a 'Parliamentary Reform Code' of his own, widely different from mine, taking no notice of mine, and without anything in the shape of a reason. Against the Tories and Whigs, though I would not answer for any defence he could make, he would, I should suspect, be always on the right side; and as for cursory attacks in a guerilla warfare, I should be not surprised if he were of use. Smart on particular points might be his attacks. As to you, a small part of what you said to me sufficed to satisfy me that you could not have done otherwise than as you did. As to other places, whether it would be of advantage to Ireland for him to be seated, may depend upon the number of seats at your command. Though, of such as this and that country affords, some might be better than he; others not quite so good. In private life, you know what he is—I should expect to hear of his being exemplary, upright, and beneficent. The last time he was in London, he never called on Mill, nor did he serve me with notice of his existence: I ascribe this to his regard for my time. I tried to see him, to thank him, and praise him for his attack on your wings—the thing I could praise him for, consistently with sincerity. I wrote to him, but he was gone. So much for Ensor.

"Follows some matter about myself, written a few days ago, under the notion, that possibly more or less use might be made of it in its quality of a batch of puffs. Say more or less, or nothing at all of it, as may be best to the cause; in comparison of which, everything that regards the individual is as a grain of dust on the balance."

"October 24.

"An odd coincidence. This day has brought me an extract from the *Globe* of Wednesday, the 22d October, in

which, at a meeting preparatory to the grand meeting at Tralee, after speaking of Codification, you are made to conclude in these words: 'I have been in correspondence with Mr Bentham on the subject, and two admirable plans of a Code have been transmitted to me by that celebrated Jurisconsult.' Who Bowring is, you know from Mr L'Estrange. This same day comes a letter from him to me, dated Leuwarden, (in the Netherlands,) 18th October, 1828, in which are these words: 'Meyer said, in the public assembly room at Amsterdam, that Brougham's speech was a poor affair after all; and that he (Meyer) had written as much to Sir James Mackintosh: that Brougham had forgotten the *one only* remedy—Codification,—and that you alone were the man to make a Code.' This was much from Meyer, who is the great authority in this country, and of whom you may hear more from Falch—(Netherlands Ambassador to this Court.) Meyer is the author of a work, in five or six volumes, intituled '*Esprit Origine et Progrès des Institutions Judiciaires*.'—Londres, 1819, &c. * I have heard it spoken of as the most esteemed book on Jurisprudence that exists on the continent of Europe. This day also, comes from Blondeau, Judge and Jurisprudential Lecturer in Paris, a present copy of a miscellaneous work on that subject just published.

"Within this week, Dr Monstadt, Professor of Jurisprudence at Heidelberg, to whom Say, the economist, had given a letter of introduction to me, in answer to an invitation I had sent him, wrote to Richard Doane, a young Templar, aged 23, who has lived with me these nine or ten years past, and whom you will not be sorry to see; a letter, dated London, 18th October, beginning in these terms:—'*Etant redevable, sans doute, à votre recommandation amicale et bienveillante de l'honneur que M. Bentham a daigné de m'accorder, je le dois regretter doublement, que.*' * * * Speaking of the invitation, he says—

* There are seven volumes of Meyer's book. It is a history of the most prominent legal institutions of modern Europe.

‘Quant à l’objet de votre lettre, j’en suis profondément touché, et je vous prie, Monsieur, de vouloir bien répondre au vénérable Nestor du libéralisme parmi ses contemporains, que le plaisir de pouvoir lui présenter les hommages personnels de mon respect et de ma reconnaissance, a été le but principal de mon voyage à Londres, et que jamais de ma vie j’ai été plus emû que par cette précieuse invitation. Je m’empresserai à en profiter soigneusement.’ He is a man of strong talents, extensive learning, high reputation, a zealous utilitarian at heart, and in lectures, as much as he dares to be; and has seen a good deal of Europe, especially Austria, where he resisted strong temptations to enlist under the banners of despotism. For his recreation at leisure hours, he is about to make translations of my works into German, beginning with the ‘Fragment on Government,’ which was the earliest.

“Usury, Tactics, Fallacies, Evidence—are already, he says, in that language.

“Our voices, you see, are in no great danger of being in the condition of a voice crying in the wilderness: others, in chorus, will not be wanting.

“In another passage of his letter Bowring says,—‘There is a great Utilitarian Society in Holland, consisting of twelve thousand members, and spread over the whole land. Its name is *Tot nut van’t algemeen*’—‘Public Utility.’ Now, what if we can move it!”

DANIEL O’CONNELL TO BENTHAM.

“*Merrion Square, Dublin,*

“*Nov. 2, 1828.*

“There is a rebuke also contained in your advice, not to pain or disparage too much. I love the impulse which induces you to give me this rebuke. It is quite true the ‘fierce extremes’ mingle in our estimate of men: it cannot be helped; nay, I am convinced that it is necessary to be warm with one love—to glow with one resentment. I, who have helped to convert the people of Ireland from apathy, despair, and from nocturnal rebellions, into determined but

sober politicians, ought to be able to form some judgment as to what is likely to conduce to obtain that coöperation so necessary to give a prospect of success. Of course, I judge of these things with that partiality which self-love inspires. But giving a rebate by reason of my self-love to the sterling value of any opinion of mine!! I do declare it to be my decided opinion, that we should speak in the strongest terms consistent with truth, of our friends and of our enemies.”

BENTHAM TO DANIEL O’CONNELL.

“*November 16, 1828.*

“Continue to be the sun of your *Laputa*,—your sublimely soaring island: giving light, warmth, and direction to it. Warmth, without consuming heat. Let not Phaeton be forgotten; *parce puer stimulus; et fortius utere loris*. Diverge not either to right or left. Meddle not either with a man’s trade, or with his patronymics. All such *irrelevancies*, there are people enough *here* that will be froward enough to set down to the account of *fallacies*. This last stuff I believe I have come out with already; but in this track of my cadences I hope I have not yet fallen quite so low as an old friend of my brother’s here—the quondam Russian ambassador, Count Woronzoff, (father of the general you are reading of;) which said diplomatist, being four or five years older than your humble servant, actually tells the same story three or four times over in the course of the same sitting.—Farewell.”

BENTHAM TO CHAMBERLAIN CLARK.

“*Q. S. P., Aug. 1828.*

“We are both of us alive. I turned of eighty—you, little short of ninety. How little could we have expected any such thing when we were scraping together at O. S. S. House, two parts out of the three in a trio, and amusing ourselves with ‘the Church’ and ‘Monkey dogs.’ I am living surrounded with young men, and merrier than most of them. I have lost but little of the very little strength I had when young; but do not expect to reach your age. I have

made an appointment to walk to Vauxhall and back again on the 12th, if the weather is favourable. But as to visits, for these many years I have never paid any, nor received any but for a special purpose.

"The bearer is Mr Mill, author of the celebrated History of British India, which, if you have not read, you cannot but have heard more or less of. Under the obscure title of *Examiner*, he bears no inconsiderable part in the government of the threescore or fourscore millions, which form the population of that country. On the death of the chief of the four *Examiners*, which is expected to take place ere long, he will succeed him, with a salary of £2000 a-year.

"He was one of the earliest and most influential of my disciples. The house he lives in looks into my garden.

"Hearing of the two spots in your neighbourhood, in both of which I several

times took up my summer quarters, he expressed a desire to make a pilgrimage to them, as he did once to my birth-place in Red Lion Street, Houndsditch, and the unfortunate half-burnt-down residence in Crutched Friars. There are your own quondam residence in Chertsey, which you cannot but remember, and the farm-house at Thorpe, to which George Wilson and I used to repair in the long vacation, as you probably remember.

"Perhaps, after reading this, you may have the charity to send some servant or retainer to accompany Mr Mill, and conduct him to the two spots.

"Farewell: and, according to the Spanish compliment, live 1000 years, in addition to the ninety you have lived already. You have four years to run before you overtake your mother, or the last of the scribes—*scrivenorum ultimum*."

END OF VOLUME X.

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